

# Child Welfare: State Performance on Child and Family Services Reviews

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## Summary

While child welfare programs are a primary responsibility of state and local governments, the federal government appropriates close to \$7 billion annually to support these programs (primarily for foster care and adoption assistance) and states are required to meet certain federal policies in order to receive this funding. Child and Family Services Reviews (CFSRs) gauge state efforts and ability to achieve the primary goals of safety and permanency for children, and well-being for children and their families. The review is intended both to measure state compliance with federal child welfare policy and to strengthen and improve state child welfare programs.

The Department of Health and Human Services (HHS) conducted the initial round of onsite reviews between March 2001 and March 2004. No state was found to be in substantial conformity with all of the outcomes and systems assessed. Some critics of the CFSR argue that while the outcomes reviewed are on target, the criteria established to determine state achievement of those outcomes may give misleading information about a state's performance.

Although much attention has focused on states' uniform inability to meet all of the federal criteria, the reviews also showed certain relative strengths. States showed the greatest ability to ensure that children were not exposed to child abuse and neglect and remained safely in their homes whenever appropriate and possible, and in preserving their family relationships and connections. They had the most difficulty in achieving permanent and stable living arrangements for children, enhancing the capacity of families to meet the needs of their children and in seeing that appropriate mental and physical health services were available to children served. Information regarding ensuring provision of educational services to children was more mixed.

In addition to reviewing outcomes, the CFSR assesses state compliance with federal child welfare policy by examining certain federally required systems. States were most likely to be found successful at operating a statewide information system; maintaining foster and adoptive parent licensing, training, recruitment and retention; and responding to community concerns. They were least likely to have a strong service array or case review system in place. Ratings of state quality assurance and training systems were more mixed.

To avoid immediate assessment of penalties for failure to comply with federal policy, each state was required to develop a Program Improvement Plan (PIP). A PIP must address each one of the outcomes or systems with which a state was found to be out of substantial conformity and must describe the state's specific plan for moving toward full conformity with federal policy. A few states have successfully completed their PIPS but most are still in the process of implementing them.

The Children's Bureau is preparing for a second round of CFSRs, and onsite reviews are scheduled to begin in early 2007. This report will describe the origins and design of CFSRs before turning to its primary discussion: state performance in the initial round of CFSRs. This report will not be updated.

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## Introduction

The Child and Family Services Review (CFSR) is the central and most comprehensive component of federal efforts to determine state compliance with federal child welfare policies and, equally, to help ensure that positive outcomes are achieved for the children and families served by state child welfare programs.<sup>1</sup> The review intends to gauge state efforts and ability to achieve the primary goals of safety and permanence for children, along with well-being for children and their families. The U.S. Department of Health and Human Services (HHS) began the first onsite reviews in March 2001 and, as of March 2004, had completed the initial round of the CFSR in all states, the District of Columbia and Puerto Rico. In this report, both the District of Columbia and Puerto Rico will be referred to as “states.”

Many states were found to have substantially achieved the goal of safety, permanence, or well-being for a majority of the cases reviewed and to have in place systems adequate to achieve positive outcomes for children. At the same time, the initial round of CFSRs found that no state’s child welfare programs met the criteria that HHS established as demonstrating “substantial conformity” with all of federal child welfare policy requirements. As a result, all states have or are implementing Program Improvement Plans (PIPs). To avoid financial penalties associated with noncompliance, states must meet the improvement goals established in their PIP.

Although the final CFSR regulation states that a subsequent full CFSR is to occur in each state two years after the approval of a state PIP, in practice this has been judged impossible (e.g., such a time frame would mean that a state’s second-round CFSR performance would be based on the same data that are used to assess the success of the initial PIP). The second round of CFSRs is now being planned with 15 states (DE, NC, VT, IN, NM, GA, KS, DC, TX, MA, AZ, AL, OK, OR, and MN) slated for an onsite review from March through September 2007.

This report begins with a short history of the legislation and other factors that led to the creation of the current CFSR and then briefly describes how a CFSR is conducted and what “substantial conformity” with federal child welfare policy means in the context of this review. Much has been made of the fact that no state was found to be in substantial conformity with all aspects of federal policy reviewed during the initial (FY2001-FY2004) round of the CFSRs. This report seeks to better understand that fact by looking closely at state performance on each of the performance indicators that determined compliance. Taking apart this general “not in substantial conformity” finding permits a more complex understanding of state performance, and the report uses this analysis to identify and discuss those areas in which states showed the greatest inability to achieve compliance with federal policy. (Readers should note that in addition to the text describing state performance, tables included in **Appendices B** and **C** of the report provide detailed ratings information for each state and **Appendix D** presents information on the case characteristics (e.g., age or race/ethnicity of child in case being reviewed vis-à-vis outcome achievement)). Finally, the report concludes with a brief discussion of 1) how penalties for non-compliance are assessed; 2) the requirement that states not in compliance with federal policy develop Program Improvement Plans (PIPs) (**Appendix A** shows the status of PIP

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<sup>1</sup> State compliance with federal child welfare policies and procedures is also assessed through other methods. Many of these are intended to examine only one aspect of federal child welfare policies. These include review and approval of the Title IV-E plan and the Child and Family Services Plan (CFSP); “partial reviews” which look at state compliance with specific provisions (e.g., denial of certain placements due to race or ethnicity or because of interjurisdictional issues); periodic in-depth review of a sample of foster care cases for which Title IV-E foster care maintenance payments are made (see CRS Report RL32836, *Child Welfare: An Analysis of Title IV-E Foster Care Eligibility Reviews*, by Cheryl Vincent.); assessment of state Adoption and Foster Care Analysis Reporting Systems (AFCARS); review of Statewide Automated Child Welfare Information System (SACWIS); audits by the Office of the Inspector General and regional office review of quarterly Title IV-E claims.

implementation); 3) some of the criticisms of how the initial CFSR assessed state performance (especially with regard to the national standards); and 4) planning for the second round of CFSRs.

## Origins of the CFSR

With the 1980 Adoption Assistance and Child Welfare Act (P.L. 96-272), Congress established the basic framework for the current federal-state child welfare programs. That legislation created a set of federal protections applicable to *all* children in foster care (e.g., a written case plan and regular case review). States were required to provide these protections, without regard to a child's eligibility for federal foster care funding, if they wished to ensure receipt of their full funding for Child Welfare Services (authorized under Title IV-B of the Social Security Act). To determine if states were indeed providing these protections to all children and were thus eligible for their full Child Welfare Services allotment HHS created "427 reviews," (which were named for the Section of the Social Security Act that established certain voluntary protections for all foster care children). The 427 review process was established without formal regulations and it came to be viewed as arbitrary, designed only to check policies on paper not in practice, and interested in identifying weaknesses for the purpose of punishment only (not for designing improvements).<sup>2</sup>

As a part of the Social Security Amendments of 1994 (P.L. 103-432) Congress required HHS to develop a new system of review for state child welfare programs that focused on outcomes achieved for children and families and that would replace the older, and discredited, process-driven reviews. The same 1994 legislation also repealed the former Section 427 but made each of its formerly voluntary protections a part of the Title IV-B state plan requirements. This made the protections mandatory for all foster care children in all states.

P.L. 103-432 (1994) further provided that the newly designed review system must cover the full range of statutory and regulatory child welfare policies and that the criteria used to measure states' compliance with specific factors were to be spelled out in formal regulations. It added that these regulations were also to detail what the penalties were, tie the amount of any financial penalty assessed to the degree of noncompliance found, suspend withholding of any penalties while states take corrective action, and further, rescind the penalties if a state successfully implemented corrective action. Finally, the legislation required HHS to offer technical assistance to any state needing to take corrective action.

During the last half of the 1990s HHS consulted with child welfare administrators and conducted 13 pilot reviews. In January 2000, the Department released its final regulation on the Child and Family Services Review (CFSR). Guided in part by the 1997 passage of the Adoption and Safe Families Act (P.L. 105-89), HHS established the overall goals of safety and permanency for children, and well-being for children and families, as the overarching aims of each state child welfare program. To achieve substantial conformity with federal child welfare policy, the final review regulation lists seven specific outcomes that a state must achieve and seven specific systems that a state must demonstrate are in operation.<sup>3</sup> A CFSR *Procedures Manual* was subsequently produced and listed 45 items—or performance indicators—which were associated with the seven outcomes and seven systems and used to guide the review team through an

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<sup>2</sup> For more information see "History of Federal Review Efforts" in U.S. Congress, House Committee on Ways and Means, *Greenbook 2004*, Feb. 2004, pp. 11-52 to 11-53 <http://waysandmeans.house.gov/media/pdf/greenbook2003/Section11.pdf>.

<sup>3</sup> See 45 C.F.R. §§ 1355.31-1355.37 available at [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/45cfr1355\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/45cfr1355_02.html). HHS discussion of regulations are included in the *Federal Register* announcement of Jan. 25, 2000 available at [http://www.acf.dhhs.gov/programs/cb/laws/fed\\_reg/fr012500.pdf](http://www.acf.dhhs.gov/programs/cb/laws/fed_reg/fr012500.pdf).

evaluation of the state’s performance.<sup>4</sup> HHS also issued separate policy guidance on six *national standards*, the concept of which was outlined in the formal regulations, and which were developed as complimentary performance indicators using statewide data.<sup>5</sup> **Table 1** provides definitions for certain key terms used in this report.

**Table 1. Brief Description of Common Terms**

<b>Goals</b>	Overarching purposes of state child welfare programs.
<b>Outcomes</b>	Desired results of services provided for children and, in certain instances, their families. The CFSR includes seven outcomes.
<b>Systems</b>	Policies and procedures that must be in place to ensure the state’s ability to achieve required outcomes. The CFSR assesses seven systems.
<b>Performance Indicators</b>	The three kinds of performance indicators used for the CFSR are— — <i>Case Review</i> - Specific indicators (23) used in each applicable case to assess whether an outcome was achieved. — <i>National Standards</i> - Statewide data are examined in relation to each of the national standards (6) to determine compliance with certain outcomes. — <i>System Review</i> - Specific indicators (22) used to assess whether a required system has been implemented and is functioning.
<b>Substantial Conformity</b>	The state is determined to have— —Achieved the desired outcome in 90% or more of the cases reviewed (95% of cases for future CFSRs); —Met the national standards related to specified safety and permanency outcomes; and —Implemented and to be successfully operating each of the required systems.

**Source:** Congressional Research Service (CRS).

## How Is a CFSR Conducted, and What Is Assessed?

The CFSR begins with a state’s own assessment of its child welfare programs. This self-assessment is followed by an onsite review conducted by a team of federal and state investigators. The final determination of substantial conformity with specific outcomes and systems is made following the onsite review and is based on information gathered during the onsite review as well as the analysis of statewide data for the period for which the state is under review.

### Statewide Assessment

During the statewide assessment, a state must review and prepare a report on all aspects of its program performance, including its provision of services to children in foster care and those who have been reported to the child welfare system but who have not been removed from their homes. As an important part of this self-assessment, the state must analyze certain statewide program data and measure its own performance for the period under review against established *national standards*. The statewide assessment must include consultation with non-agency and community

<sup>4</sup> The final regulations provide that such a guide will be made available to states, including any significant revisions. During the course of the initial review, HHS made several revisions to the manual. The procedure manual was under revision at the time of this report; the final version of the manual used for the initial round of reviews (as of May 27, 2005) could be viewed at <http://www.acf.dhhs.gov/programs/cb/cwrp/tools/index.htm>.

<sup>5</sup> The regulations provide that “to the extent practical and feasible,” the data indicators will match those developed for the annual *Child Welfare Outcomes* book (required by Section 203 of Adoption and Safe Families Act, P.L. 105-89). See 45 C.F.R. §1355.34(b)(4) and (5).



stakeholders in the system. The report prepared from this assessment serves as a basis for the state's onsite review but does not constitute a final determination of substantial conformity.

## Onsite Review

The onsite review, conducted by a team of federal and state members, follows the statewide assessment and occurs simultaneously in three locations in the state (including the largest city or metropolitan area). It includes intensive review of a sample of cases (usually a total of 50, roughly half in foster care and half in-home cases) and interviews with a variety of stakeholders (both statewide and local), who have particular experience with or knowledge of the state child welfare programs. Stakeholders that must be interviewed include children, parents, foster parents, case workers and other service providers in the individual cases being reviewed and, with regard to the local or state program more generally, the child welfare director, case workers, foster parents, dependency or juvenile court judges, guardians *ad litem*, and other representatives of groups that the state consults with to design its child welfare program and services.

## What Does “Substantial Conformity” Mean?

Both qualitative and quantitative information is solicited and analyzed to determine whether or not a state is in substantial conformity with federal child welfare policy. States were assessed on both the *outcomes* they achieved and the *systems* they had in place to achieve those outcomes.

## Outcomes

State conformity with the seven specific outcomes is measured via case reviews and the national standards. These outcomes are:

- Children are first and foremost protected from abuse and neglect;
- Children are maintained in their own homes whenever possible and appropriate;
- Children have permanence and stability in their living situations;
- Family relationships and connections are preserved for children;
- Families have enhanced capacity to provide for their children's needs;
- Children receive appropriate services to meet their educational needs; and
- Children receive adequate services to meet their physical and mental health needs.

In the initial round of CFSRs a state needed to achieve the desired outcome in 90% of the applicable cases reviewed.<sup>6</sup> Whether a state achieved one or more of the seven outcomes in a given case was based on an onsite review of the case records combined with interviews of case-specific individuals (e.g., the foster parents, case worker, and/or child). Using a standardized survey instrument reviewers then determined whether or not each specific outcome was achieved in the case by rating each of the applicable case review indicators. (See also **Table 3.**)

In addition to achieving an outcome in 90% of the cases, for a state to be found in substantial conformity with two of the outcomes (one associated with safety, the other with permanency) it also needed to meet each of the six national standards (data indicators). The national standards used in the initial round of the CFSR were based on state administrative data regarding recurrence

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<sup>6</sup> The regulations provide that for a state to be found in substantial conformity in a subsequent CFSR, it must achieve the outcome in 95% of the cases.

of maltreatment, incidence of maltreatment while in foster care, the rate of re-entries to foster care, the stability of foster care placements, and the state's achievement of adoptions and reunifications on a "timely" basis. For a state to meet the required national standards, an analysis of statewide administrative data for the 12 months (generally) that were a part of the formal review period must indicate that the state matched or exceeded each of the established national standards. The national standards and a description of the data used to determine a state's performance with regard to these standards is provided in **Table 2.** (New data measures have been developed for use in the second round of the CFSR.)<sup>7</sup>

**Table 2. The National Standards Used in the Initial Round of the Child and Family Service Review**

What is measured	National standard
<b>Recurrence of Maltreatment.</b> Of all the children who were victims of child maltreatment during the first 6 month period of review, what percentage were again found to be victims of maltreatment based on a second report made within 6 months of the first maltreatment report?	6.1% (or less)
<b>Maltreatment in foster care.</b> Of all the children in foster care during the period of review what percentage were found to have experienced maltreatment at the hands of a foster parent or staff member of a foster care facility?	0.57% (or less)
<b>Foster care re-entries.</b> Of all the children who entered foster care during the year under review, what percentage were re-entering foster care within 12 months of a prior foster care episode?	8.6% (or less)
<b>Timely reunification.</b> Of all the children who left foster care to be reunited with their parents or caretakers (during the year under review), what percentage did so within 12 months of their date of most recent removal from home?	76.2% (or more)
<b>Timely adoption.</b> Of all the children who left foster care because of adoption (during the year under review), what percentage did so within 24 months of their date of most recent removal from home?	32.0% (or more)
<b>Stability of placement.</b> Of all the children in care less than 12 months from the time of their latest removal (during the period under review), what percentage had no more than two placement settings?	86.7% (or more)

**Source:** Prepared by the Congressional Research Service (CRS). Development of these standards is further described in U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF), *Background Paper: Child and Family Services Reviews National Standards* <http://www.acf.hhs.gov/programs/cb/hotissues/background.htm>.

## Systems

State compliance with certain "system" requirements was also rated and a state was found in substantial conformity with a given system requirement if that system was in place and functioning. The systems assessed were—

- Statewide information system;
- Case review system;
- Quality assurance system;

<sup>7</sup> For information on the data measures to be used in the second round of the CFSR see *Child and Family Services Review Update*, Vol. 2, Issue 5, June 2006 available online at <http://www.acf.hhs.gov/programs/cb/cwmonitoring/cfsr/jun06.htm>.

- Staff training;
- Service array;
- Agency responsiveness to community;
- Foster and adoptive parent licensing, recruitment, and retention.

Using a standardized survey instrument, reviewers rated 22 system indicators—one or more of which was linked to each of these systems—as either a “strength” or an “area needing improvement.” In general, for a state to have a system found in substantial conformity all of the indicators associated with the system must be in place and no more than one of those same indicators can be functioning below the level described by the requirements. (Only one indicator was associated with the statewide information system so that states needed to achieve a strength rating on that single indicator to be found in substantial compliance with that system requirement.)

**Table 3** shows the overarching goals of the review, with the seven outcomes and seven systems, and each of the associated performance indicators, including the national standards (as they were configured for the initial review).

**Table 3. The Child and Family Services Review: Outcomes and Systems with Associated Review Criteria**

<b>Goal</b>	<b>Outcome</b>	<b>Case review item performance indicator</b>	<b>National standard performance indicator</b>
<b>Safety</b>	Children are first and foremost protected from abuse and neglect.	—Timeliness of investigation of maltreatment reports —Recurrence of maltreatment	—Recurrence of maltreatment —Incidence of maltreatment in foster care
	Children are safely maintained in their homes whenever appropriate or possible.	—Services to protect children in home and prevent removal —Risk of harm to child	—
<b>Permanency</b>	Children have permanency and stability in their living situations.	—Foster care re-entries —Placement stability —Permanency goal (e.g. established, appropriate) —Timely achievement of reunification, guardianship, or kin placement —Timely achievement of adoption —Appropriate use of “another planned living arrangement”	—Foster care re-entries —Placement stability —Length of time to reunification —Length of time to achieve adoption
	The continuity of family relationships and connections is preserved for children.	—Proximity of placement to parent’s home —Placement in foster care with siblings —Frequency of visits with parents and siblings —Connections with family and community preserved —Use of relatives as placement resource —Relationship with parents maintained	—
<b>Well-being of children and their families</b>	Families have enhanced capacity to provide for their children’s needs.	—Assessment of services needs of child, parents and foster parents —Involvement of child and parents in case planning —Frequency and quality of caseworker visits with child —Frequency and quality of caseworker visits with parents	—
	Children receive appropriate services to meet their educational needs.	—Provide for child’s education needs	—
	Children receive adequate services to meet their physical and mental health needs.	—Provide for child’s physical health needs —Provide for child’s mental health needs	—
<b>Goal</b>	<b>System</b>	<b>System item (performance indicator)</b>	
	<i>Statewide Information System</i>	—State’s system can readily identify status, characteristics, location, and goals for every child in foster care.	

<b>Maintain the capacity to achieve safety and permanence for children and well-being for children and their families</b>	Case Review System	<ul style="list-style-type: none"> <li>—Children in foster care have written case plans developed jointly with parents.</li> <li>—Children in foster care have court or administrative reviews every 6 months.</li> <li>—Children in foster care have permanency hearings at least every 12 months.</li> <li>—AFSA requirements for termination of parental rights are in place.</li> <li>—Foster caretakers are notified of hearings/reviews; have opportunity to be heard.</li> </ul>
	Quality Assurance System	<ul style="list-style-type: none"> <li>—State has standards to ensure children in foster care receive quality services to protect their safety and health.</li> <li>—State has quality assurance system to evaluate services and provide feedback.</li> </ul>
	Staff Training	<ul style="list-style-type: none"> <li>—State operates a training program for new staff who provide services.</li> <li>—State operates ongoing training of staff.</li> <li>—State provides for training of foster and adoptive parents, and of child care staff.</li> </ul>
	Service Array	<ul style="list-style-type: none"> <li>—State has an array of services that support a safe home environment, enable children to remain safely with their parents, and help children achieve permanency.</li> <li>—The services are accessible in all political jurisdictions covered by the state plan.</li> <li>—The services can be tailored to the individual needs of children and families.</li> </ul>
	Agency Responsiveness to Community	<ul style="list-style-type: none"> <li>—State consults on an ongoing basis with other groups (e.g., tribes, courts) and includes their concerns in the state plan.</li> <li>—Agency develops, in consultation with these other groups, annual reports on progress and services delivered.</li> <li>—State’s services are coordinated with services or benefits of other federal programs serving the same population.</li> </ul>
	Foster and Adoptive Parent Licensing, Recruitment, and Retention	<ul style="list-style-type: none"> <li>—Standards for foster family home and child care institutions have been implemented and are reasonably in accord with recommended national standards.</li> <li>—Standards are applied to all licensed homes or child care institutions receiving Title IV-E or Title IV-B funds.</li> <li>—State complies with federal criminal background clearance requirements for licensing or approval of foster care and adoptive placements.</li> <li>—State has a process to ensure diligent recruitment of potential foster and adoptive families who reflect the ethnic and racial diversity of children needing placements.</li> <li>—State has process for effective use of cross-jurisdictional resources to aid timely adoptive or permanent placements.</li> </ul>

**Source:** Prepared by Congressional Research Service (CRS) based on the CFSR procedures manual online as of May 27, 2005. The procedures manual has been revised several times. However, with the exception of one item (which for reviews done in 2001 assessed state provision of independent living services for children age 16 or older, and which for reviews in 2002-2004 looked instead at appropriate and timely achievement of reunification, guardianship, or kinship placement) the goals, outcomes, systems and items have generally remained the same.

## Aggregate State Performance on Outcomes in the Initial CFSR

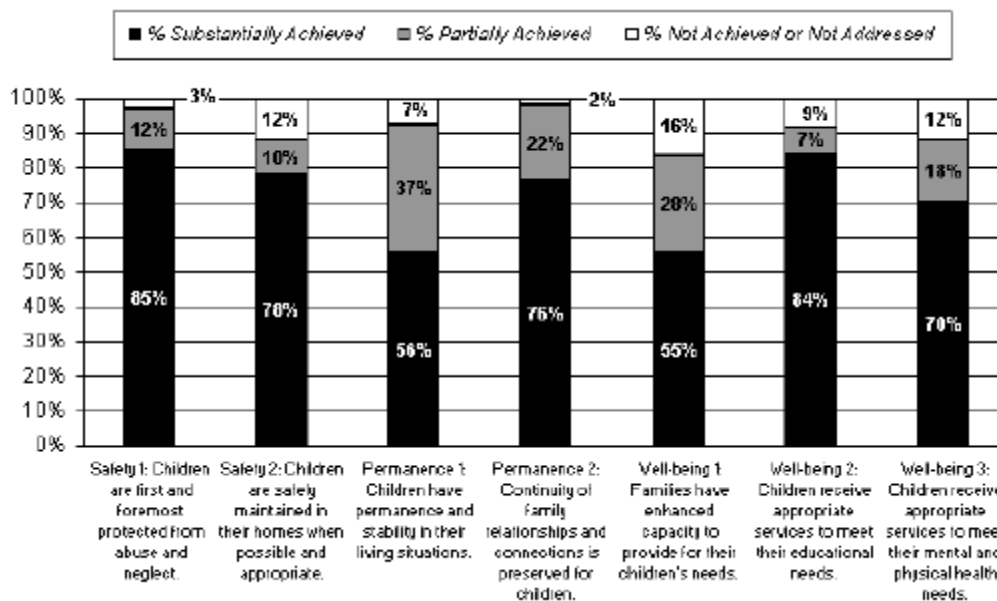
In general both the onsite case review and the analysis of statewide data showed that states performed best with regard to safety outcomes, had greatest difficulty with most of the permanency outcomes and showed more mixed results in relation to the well-being outcomes.

### Case review only

The case reviews indicate that, as a whole, states performed most successfully in protecting children from abuse and neglect (outcome substantially achieved in 85% of cases nationally) and in ensuring that children receive appropriate services to meet their educational needs (outcome substantially achieved in 84% of cases nationally). They were least successful in ensuring that families have enhanced capacity to provide for their children's needs (outcome achieved in 55% of cases nationally) and in providing that children have permanence and stability in their living situations (outcome substantially achieved in 56% of cases nationally).

**Figure 1** illustrates the percentage of cases in which states, cumulatively, were found to have substantially achieved the desired outcome, partially achieved the outcome, or not achieved or addressed the outcome. (For a list of states that achieved substantial conformity with each outcome, see **Appendix B, Table B-1.**)

**Figure 1. Performance Rating For All Applicable Cases Assessed in the Initial Child and Family Services Review**



**Source:** Figure prepared by the Congressional Research Service (CRS) based on data provided in the final reports of the Child and Family Services Review for 50 states, the District of Columbia and Puerto Rico.

### National standards only

**Table 4** shows how states performed vis-à-vis the national standards. No state met all six of the national standards. The percentage of states achieving any one of the standards ranged from about

half to a little better than one out of four. As measured against the national standards used in the initial round of the CFSR, states were most successful in protecting children from maltreatment while in foster care and in ensuring a low rate of children re-entering foster care. Conversely, states were least successful at ensuring stability of placements and timely adoptions for foster care children. (For a list of states that met or did not meet each of the national standards see **Appendix B, Table B-3**).

**Table 4. Summary of State Performance Ratings on the National Standards Used in the Initial Child and Family Services Reviews**

Outcome	Associated Statewide Data Indicator	National Standard	Median State Percentage	States Meeting Standard
Safety I: Children are first and foremost protected from abuse and neglect	Incidence of Recurrence of Maltreatment	6.1% (or less)	7.3%	17
	Incidence of Maltreatment in Foster Care.	0.57% (or less)	0.56% <sup>a</sup>	28
Permanence I: Children have permanence and stability in their living situations	Rate of Foster Care Re-entries	8.6% (or less)	8.7%	26
	Reunifications Achieved (within 12 months of entering foster care)	76.2% (or more)	67.1%	19
	Adoptions Achieved (within 24 months of entering foster care)	32.0% (or more)	23.0%	14
	Rate of Placement Stability (no more than 2 placements in 12 months)	86.7% (or more)	83.5% <sup>b</sup>	14

**Source:** Table prepared by the Congressional Research Service (CRS) based on information in the final reports of the 50 states, the District of Columbia and Puerto Rico.

- a. The final report for New York did not provide data with regard to this standard and the state was not included in this calculation.
- b. The final reports of New York and Nevada did not provide data with regard to this standard and these states are not included in this calculation.

## State Performance by Outcome

### Outcomes Assessed by Case Review and National Standards

To be found in substantial compliance with two outcomes: 1) children are first and foremost protected from abuse and neglect, and 2) children have permanence and stability in their living arrangement, states must have achieved the outcome in 90% of the applicable cases and also must have met the applicable national standards.

### Protecting Children from Maltreatment

Although the states scored relatively well on both the case reviews and national standards for this outcome, when the two tests were combined, just six states (AL, AZ, AR, DC, PA, SC) were determined to have substantially achieved the goal of protecting children from abuse and neglect.

Nationally there were close to 2,350 applicable cases rated on this safety outcome. The share of cases in which individual states achieved this outcome ranged from a low of 62% (AK) to a high of 100% (NY); the median state performance was 86%. Beyond the case reviews, to determine conformity with this outcome, statewide data were examined to measure 1) the incidence of children who were found to be the victims of child abuse or neglect more than once in a six month period; and 2) the incidence of child maltreatment occurring in foster care. Twelve states met both of these national standards. (See **Appendix C, Table C-2** for information on this outcome by each state.)

## **Permanency and Stability in Living Arrangement**

In general, states scored relatively poorly on both the case review and data measures used to determine conformity with this outcome and no state was found to be in conformity with this permanency outcome.

This outcome was applicable only to those cases reviewed in which the children were in foster care. Nationally there were close to 1,500 applicable cases rated on this outcome. The share of cases in which individual states achieved this outcome ranged from a low of 7% (KY) to a high of 92% (ND); the median state performance was 51%.<sup>8</sup> Beyond the case reviews used to determine conformity with this outcome, statewide data were examined to measure 1) for children entering foster care, the percentage of those who were re-entering care within 12 months of a prior entry to foster care; 2) for foster care children who were reunified with their parents or a caretaker, the percentage of those reunifications happening within 12 months; 3) for foster care children who were adopted, the percentage of those adoptions happening within 24 months; and 4) for children in foster care less than 12 months, the percentage who were placed in no more than two settings during that time. No state met all four of those standards. However more than half of the states (28) met the standard related to foster care re-entries and no standard was achieved by fewer than one in four of the states. (See **Appendix C, Table C-4** for information on this outcome by each state.)

## **Outcomes Assessed by Case Review Alone**

Five outcomes were not associated with any national standards and states were determined to be in conformity, or not, solely on the basis of whether 90% or more of the applicable cases reviewed had substantially achieved the outcome. Although the number of states that received a substantial conformity rating for any given outcome was quite low, the range of performance on each outcome was considerable.

### **Families have enhanced capacity to provide for their children's needs**

No state substantially achieved this outcome in 90% or more of its case review sample and thus no state achieved substantial conformity with this outcome. Nationally there were more than 2,500 cases given a performance rating for this well-being outcome. The share of cases in which individual states achieved this outcome ranged from a low of 18% (NJ) to a high of 86% (NY); the median state performance was 66%.

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<sup>8</sup> Reviewers rated just two states (DE and ND) as having achieved this outcome in 90% or more of their applicable case sample. However, state performance on this outcome is not strictly comparable across all years of the initial CFSR because the case review performance indicators for this outcome were adjusted following the 2001 reviews (conducted in 17 states). Both Delaware and North Dakota had their onsite review in FY2001.



### **Children receive adequate services to meet their physical and mental health needs**

Reviewers determined that only one state (DE) substantially achieved this outcome for 90% or more of its case review sample; thus it was the only state found in substantial conformity with this outcome. Nationally there were more than 2,400 cases given a performance rating for this well-being outcome. The share of cases in which individual states substantially achieved this outcome ranged from a low of 51% (PR) to a high of 92% (DE); the median state performance was 70%.

### **Children are safely maintained in their own homes whenever possible and appropriate**

Reviewers determined that 6 states (AZ, IA, KS, NM, NY, UT) substantially achieved this outcome in 90% or more of their case review sample and thus these states were found in substantial conformity with the outcome. Nationally there were close to 2,400 cases given a performance rating on this safety outcome. The share of cases in which individual states achieved this outcome ranged from a low of 48% (NJ) to a high of 93% (IA); the median state performance was 81%.

### **The continuity of family relationships and connections is maintained for children in foster care**

Reviewers determined that 7 states (FL, ID, LA, MA, ND, OR, TX) substantially achieved this outcome in 90% or more of their case review samples and thus these states were found in substantial conformity with the outcome. This permanency outcome applies to children who are in foster care only. Nationally there were close to 1,500 cases rated on this outcome. The share of cases in which individual states achieved this outcome ranged from a low of 38% (TN) to a high of 94% (TX and OR); the median state performance was 77%.

### **Children receive appropriate services to meet their educational needs**

Reviewers rated 16 states (CO, CT, HI, ID, IA, KS, KY, ME, MT, NH, NY, ND, UT, VT, VA, WI) as having substantially achieved this outcome in 90% or more of their case review sample and thus these states were found in substantial conformity with the outcome. Nationally there were more than 2,000 cases rated on this well-being outcome. The share of cases in which individual states achieved this outcome ranged from a low of 65% (NJ) to a high of 100% (UT); the median state performance was 83%.

## **State Performance on Individual Case Review Indicators**

An additional view on the areas that showed the greatest strength or need for improvement can also be gained by studying whether each of the items, or performance indicators, associated with the case review process was rated as an overall “strength” or an “area needing improvement” for the state. The “strength” or “area needing improvement” ratings for a given state represent aggregate performance across all applicable cases for a single one of these items (performance indicators). Because these ratings are not case-specific findings, they do not directly affect the determination of a state’s conformity or nonconformity with a particular outcome. Nonetheless, these aggregate item ratings are discussed in the state final report and may be used to understand

what contributed to a state's overall rating on an outcome (and consequently what areas should be addressed in the state PIP).<sup>9</sup>

Ranking state outcome performance by case review indicators, produces a pattern of strengths and weakness similar to what the case-by-case analysis suggests. As discussed earlier no state was found to be in substantial conformity with two outcomes: 1) families have enhanced capacity to provide for the needs of their children and 2) (foster care) children have permanent and stable living arrangements. Seven of the 10 separate case review indicators associated with achieving these two outcomes were rated as a "strength" in 14% or *fewer* of the states. At the same time, state performance on two of the case review indicators associated with the outcome ensuring permanent and stable living arrangements for foster care children far outstripped the number of strength ratings determined for any other performance indicators. Sixty-nine percent of the states received a "strength" rating for their efforts at "keeping brothers and sisters together in foster care" and 94% received a strength rating for "placing children close to their birth parents or their own communities."

**Table 5** lists each of the case review indicators assessed from those *least likely* to receive a strength rating to those *most likely* to receive a strength rating.

**Table 5. State Ratings for Performance Indicators (23) Associated with Outcomes**

Ranked from Most in Need of Improvement to Least in Need of Improvement

ITEM (Indicator) How effective is the agency at— <sup>a</sup>	OUTCOME this item (indicator) is associated with	States receiving rating of strength	
		#	%
<b>Assessing needs of children, parents and foster parents and in providing services</b> to meet those needs (including families receiving in-home services)? (Item 17)	<i>Well-being 1</i> : Families have enhanced capacity to provide for their children's needs.	1	2%
<b>Identifying and addressing the emotional and mental health needs of children</b> receiving in-home and foster care services? (Item 23)	<i>Well-being 3</i> : Children receive appropriate services to meet their physical and mental health needs.	4	8%
<b>Minimizing placement changes for children</b> in foster care? (Item 6)	<i>Permanency 1</i> : Children have permanency and stability in their living arrangements		
<b>Determining the appropriate permanency goals for children on a timely basis</b> when they enter foster care? (Item 7)	<i>Permanency 1</i> : Children have permanency and stability in their living arrangements	5	10%
<b>Involving parents and children in the case planning process?</b> (Item 18)	<i>Well-being 1</i> : Families have enhanced capacity to provide for their children's needs.		

<sup>9</sup> HHS described this use of the "strength" and "area needing improvement" ratings, *for outcome indicators only*, in a Nov. 2003 memorandum. The Department noted that if a particular outcome-related indicator was rated as a strength in 85% of applicable cases reviewed it would receive a strength rating in the final report. Indicators for which less than 85% of the applicable cases reviewed were rated as a strength would appear in the final report as an "area needing improvement." See "Child and Family Services Reviews, Item Ratings," ACYF-CB-IM-03-05, Nov. 21, 2003. (Readers should note that a particular indicator within an outcome may have been applicable to only a limited number of cases. For instance, indicators related to the permanency goal for children, e.g., reunification, adoption, another planned permanent living arrangement, would, by definition, be applicable to only a subset of the cases being reviewed.)

ITEM (Indicator) How effective is the agency at— <sup>a</sup>	OUTCOME this item (indicator) is associated with	States receiving rating of strength	
		#	%
<b>Helping children in foster care return safely to their families</b> when appropriate? (Item 8) <sup>b</sup>	<i>Permanency 1:</i> Children have permanency and stability in their living arrangements		11% <sup>b</sup>
<b>Achieving timely adoption</b> (within 24 months or less) when that is appropriate for the child? (Item 9)	<i>Permanency 1:</i> Children have permanency and stability in their living arrangements	6	12%
<b>Conducting face-to-face visits as often as needed with parents</b> of children in foster care and parents of children receiving in-home services? (Item 20)	<i>Well-being 1:</i> Families have enhanced capacity to provide for their children's needs.	7	14%
<b>Conducting face-to-face visits as often as needed with children</b> in foster care and those who receive services in their own homes? (Item 19)	<i>Well-being 1:</i> Families have enhanced capacity to provide for their children's needs.	13	25%
<b>Planning and facilitating visits of children in foster care with their parents and with siblings</b> placed separately in foster care? (Item 13)	<i>Permanency 2:</i> The continuity of family and community relationships is maintained for children.	16	31%
<b>Addressing the educational needs of children</b> in foster care and those receiving services in their own homes? (Item 21)	<i>Well-being 2:</i> Children receive appropriate services to meet their education needs.		
<b>Preventing the recurrence of maltreatment?</b> (Item 2)	<i>Safety 1:</i> Children are first and foremost protected from abuse and neglect.		
<b>Establishing planned permanent living arrangements for children in foster care</b> , who do not have the goal of reunification, adoption, guardianship, or permanent placement with relatives? (Item 10)	<i>Permanency 1:</i> Children have permanency and stability in their living arrangements	17	33%
<b>Reducing the risk of harm to children</b> including those in foster care and those who receive services in their own homes? (Item 4)	<i>Safety 2:</i> Children are maintained in their own homes whenever possible and appropriate.		
<b>Identifying and addressing the physical health and medical needs</b> , including dental needs, of children receiving in-home and foster care services? (Item 22)	<i>Well-being 3:</i> Children receive appropriate services to meet their physical and mental health needs.	20	39%
<b>Initiating investigations of reports of child maltreatment in a timely manner</b> , including at night and on weekends? (Item 1)	<i>Safety 1:</i> Children are first and foremost protected from abuse and neglect.	21	40%
<b>Providing services</b> , when appropriate, to prevent removing children from their homes? (Item 3)	<i>Safety 2:</i> Children are maintained in their own homes whenever possible and appropriate.		

ITEM (Indicator) How effective is the agency at—a	OUTCOME this item (indicator) is associated with	States receiving rating of strength	
		#	%
<b>Identifying relatives who could care for children entering foster care</b> , and using them as placement resources when appropriate? (Item 15)	<i>Permanency 2</i> : The continuity of family and community relationships is maintained for children.		
<b>Promoting or helping to maintain the parent-child relationship for children in foster care</b> when it is appropriate to do so? (Item 16)	<i>Permanency 2</i> : The continuity of family and community relationships is maintained for children.		
<b>Preserving important connections for children in foster care</b> , such as connections to neighborhood, community, faith, family, and friends? (Item 14)	<i>Permanency 2</i> : The continuity of family and community relationships is maintained for children.		
<b>Preventing multiple entries of children into foster care?</b> (Item 5)	<i>Permanency 1</i> : Children have permanency and stability in their living arrangements	24	46%
<b>Keeping brothers and sisters together in foster care?</b> (Item 12)	<i>Permanency 2</i> : The continuity of family and community relationships is maintained for children.	36	69%
<b>Placing foster children close to their birth parents</b> or their own communities or counties? (Item 11)	<i>Permanency 2</i> : The continuity of family and community relationships is maintained for children.	49	94%

**Source:** Table prepared by Congressional Research Service (CRS) based on data provided in the CFSR final reports.

- a. The description of each indicator is taken from the “core question” provided for a given item as included in the Stakeholder Interview Guide (dated Feb. 2003). Relevant stakeholders are asked to elaborate on each of the items generally, however state performance on each of these items is rated as a strength or area needing improvement based on the agency and worker’s performance in the *individual cases* reviewed. The stakeholder interview guide, as well as the instructions given regarding individual case reviews have been updated several times throughout the course of the initial review process. However, with the exception described in table note b the general thrust of each indicator has remained consistent.
- b. The focus of this indicator was significantly changed during the initial round of Child and Family Services Reviews. For states reviewed during FY2001 (n= 17), this case review indicator addressed appropriate provision of independent living services; the ratings given to those states for that indicator are not reflected in this table. For reviews conducted in FY2002-FY2004 (n=35), this case review indicator addressed appropriate reunification efforts. The percentage of states receiving a strength rating for this item is related to the 35 states for which appropriate reunification efforts were assessed. Out of those 35 states, four were given a strength rating for this indicator.

## State System Performance in the Initial CFSR

Reviewers also rated state performance based on the state’s policy and practice with regard to seven federally required “systems.” This part of the CFSR is intended to measure a state’s capacity to achieve positive outcomes related to safety, permanency and well-being for the children and families it serves. Ratings for this part of the review are largely based on interviews with state and local stakeholders in the child welfare system. Overall states were more likely to be assessed as having the capacity to produce positive outcomes for children than they were to have been rated as achieving these outcomes. At the same time, because these systems are intended to work together, a poor rating on any one of the systems may affect a state’s ability to achieve one

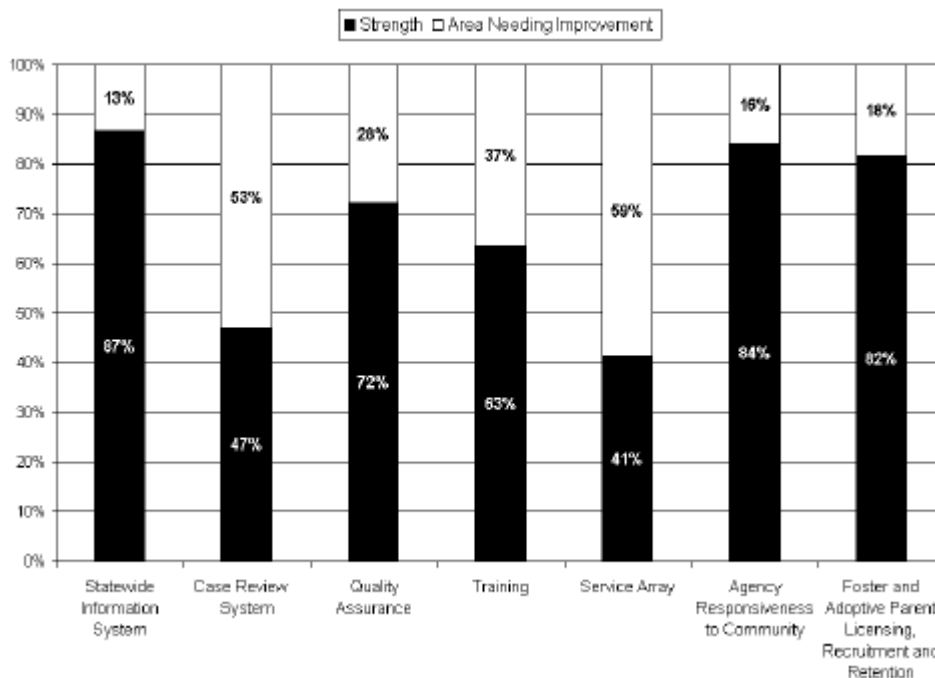
or all of the outcomes assessed. Further, state capacity was judged weakest with regard to case review system and service array and these systems are arguably keystones of a successful child welfare program.

Of the 52 states, 49 were found to have child welfare agencies that were “responsive to the community,” 45 were judged in substantial compliance with federal requirements for a statewide information system, and 43 were found to have adequate recruitment, retention, and licensing programs for foster and adoptive parents. A less substantial majority of states were found to have a functioning quality assurance system in place (35) and to adequately meet the federal staff training requirements (34). States had more difficulty meeting the system requirements related to service array and case review. Less than half of states (23) were judged to have a service array system in compliance with federal policy and just 13 states were found in compliance with the case review system requirements.

Compliance with the system requirements of federal child welfare policy was determined based on stakeholder interviews and the number of “strength” or “area needing improvement ratings” given to each of the items associated with the implementation and proper functioning of a system.

**Figure 2** shows a composite (national) rating for each system—with 100% representing a strength rating for each of the items associated with an outcome for all states. The figure illustrates again that service array and case review system were determined to be the most significant areas of weaknesses in state efforts to achieve positive outcomes for children. The findings also suggests that performance in each of these areas may be more nearly equal than would appear simply by looking at the number of states in compliance with each system.

**Figure 2. State Performance on Systems by Composite Strength or Area Needing Improvement Rating**



**Source:** Figure prepared by the Congressional Research Service (CRS) based on the strength or area needing improvement ratings given for each item associated with a given system factor.

Compliance with a particular system is directly determined by the number of associated indicators that are given a strength rating. **Table 6** ranks each of the indicators associated with this compliance determination, from those least likely to receive a strength rating to those most likely to receive this rating. As might be expected, it shows that items associated with the service array and case review system are more likely to be rated as areas needing improvement than are most of those items associated with agency responsiveness to the community and foster and adoptive parent recruitment, retention and licensing. However, a few items run counter to this trend. For instance, despite being an indicator related to the case review system, the large majority of states (42 states – 81%) received a strength rating for the case review item that sought to assess how good a state was at conducting a periodic review of the status of each child in foster care. By contrast just 21 states (40%) received a strength rating for their efforts to ensure the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children needing those homes, although the vast majority of states were found in substantial conformity with the overall system related to licensing, recruitment and retention of foster care and adoptive parents.

**Table 6. State Ratings for Performance Indicators (22) Associated with Systems**

Ranked from Most Likely to Need Improvement to Least Likely

Indicator: Core question	System (or practice) with which indicator is associated	States receiving rating of strength	
		#	%
How effective is the agency in <b>developing written case plans jointly with the parents?</b> (Item 25)	Case review system	6	12%
To what extent are <b>services accessible to families and children in all jurisdictions</b> in the state? (Item 36)	Service array	9	17%
To what extent has the state put in place a process for <b>ensuring the diligent recruitment of potential foster and adoptive families</b> that reflects the ethnic and racial diversity of children needing foster and adoptive homes? (Item 44)	Foster and adoptive parent licensing, recruitment and retention	21	40%
How effective is the agency in <b>providing a process for termination of parental rights for children in foster care</b> , in accordance with the provisions of the Adoption and Safe Families Act? (Item 28)	Case review system	22	42%
<b>How responsive is the state's array of services to the needs of the children and families it serves</b> , including in-home and foster care services? (Item 35)	Service array	25	48%
How effective is the agency in ensuring that <b>each child in foster care has a permanency hearing</b> in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter? (Item 27)	Case review system	26	50%
How effective is the agency in <b>ensuring that foster parents, pre-adoptive parents, and relative caregivers of children in foster care receive notice of reviews or hearings</b> held with respect to the child in their care, and have an opportunity to be heard? (Item 29)	Case review system	26	50%

Indicator: Core question	System (or practice) with which indicator is associated	States receiving rating of strength	
		#	%
How effective is the state in <b>providing ongoing training for staff</b> that addresses the skills and knowledge base needed to carry out their duties? (Item 33)	Training	27	52%
How effectively <b>does the agency individualize, or tailor, services to the unique needs of children and families?</b> (Item 37)	Service array	30	58%
To what extent <b>does the state operate an identifiable quality assurance system</b> that evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures? (Item 31)	Quality assurance	31	60%
How effective is the state in <b>providing initial training for all staff who provide child welfare services?</b> (Item 32)	Training	34	65%
How effective is the state in <b>providing training for current or prospective foster parents, adoptive parents and staff of state-licensed or approved facilities</b> that addresses the skills and knowledge needed to carry out their duties? (Item 34)	Training	38	73%
To what extent <b>does the agency develop, in consultation with the individuals or organizations identified [as major stakeholders], annual reports of progress and services</b> delivered pursuant to the state's Title IV-B state plan? (Item 39)	Agency responsiveness to community	40	77%
<b>How effective is the agency in conducting the periodic review of the status of each child, no less frequently than once every 6 months</b> , either by a court or by administrative review? (Item 26)	Case review system	42	81%
To what extent <b>are foster care standards applied to all licensed or approved foster family homes or child care institutions</b> receiving Title IV-E or IV-B funds? (Item 42)	Foster and adoptive parent licensing, recruitment and retention	43	83%
In what ways <b>has the state developed and implemented standards to ensure that children in foster care are provided quality services</b> that protect their safety and health? (Item 30)	Quality assurance	44	85%
<b>How effective is the state's information system</b> in readily identifying the status, demographic characteristics, location and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care? (Item 24)	Statewide information system	45	87%
To what extent <b>are the state's services coordinated with the services or benefits of other federal or federally assisted programs</b> serving the same population? (Item 40)	Agency responsiveness to community	45	87%
To what extent <b>does the state engage in ongoing consultation</b> with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies in order <b>to include these stakeholders' major concerns in its state plan?</b> (Item 38)	Agency responsiveness to community	46	88%
<b>How effectively does the state recruit and use families who live in other jurisdictions</b> , (for example, out of state), <b>to</b>	Foster and adoptive parent licensing,	47	90%



Indicator: Core question	System (or practice) with which indicator is associated	States receiving rating of strength	
		#	%
<b>facilitate timely adoptive or permanent placements</b> for waiting children? (Item 45)	recruitment and retention		
<b>Does the state conduct criminal background clearances</b> on prospective foster and adoptive parents before licensing or approving them to care for children? (Item 43)	Foster and adoptive parent licensing, recruitment and retention	50	96%
To what extent <b>has the state implemented licensing or approval standards</b> for foster family homes and child care institutions that ensure the safety and health of children in foster care?(Item 41)	Foster and adoptive parent licensing, recruitment and retention	51	98%

**Source:** Table prepared by the Congressional Research Service based on state final reports of the CFSR and the Stakeholder Interview Guide (Feb. 2003) prepared by the U.S. Department of Health and Human Services (HHS). This interview guide has changed several times since the initial reviews although the thrust of each core question (item/indicator) has remained largely the same.

## A Closer Look at the Weaknesses Identified by the CFSR

The following discussion looks more closely at each of the indicators explicitly associated with the two outcomes for which no state was found to be in substantial conformity; it also examines indicators associated with systems that might be expected to affect state performance on those two outcomes. Many of those indicators are related to the case review and service array systems on which states were the least likely to have been found in substantial conformity.

### Permanent and Stable Living Arrangements

Nationally, of the 1,479 foster care cases reviewed, permanent and stable living arrangements were determined to have been substantially achieved in 56% (822) of the cases and only partially achieved in 37% (548) of the cases. Reviewers rated 7% of the cases (109) as not having achieved or addressed this outcome at all. In assessing how well a state assists children in achieving permanent and stable living arrangements, the CFSR looks at six performance indicators for each applicable case and also examines statewide data to judge its performance with regard to four national standards. Two states substantially achieved the outcome of permanent and stable living arrangement in 90% or more of the cases (DE and ND) but no state achieved compliance with all four of the national standards associated with this outcome.<sup>10</sup> The indicators associated with this outcome were—

<sup>10</sup> Because the case review indicators were adjusted after the first 17 states were reviewed in 2001, state performance on this outcome is not strictly comparable across all years of the initial round of the CFSR. (Both North Dakota and Delaware, the only states who achieved substantial conformity on this outcome for 90% or more of the cases reviewed, were among those first 17 states.) The case review indicators used for the first 17 states placed less explicit attention on the timeliness of achieving a specific case goal, *did not* include a specific indicator with regard to timeliness of reunification, *did* include an indicator exclusively about provision of independent living services to any foster care child age 16 or older. For the reviews done in 2002-2004 (35 states), the timeliness (along with appropriateness of a



- number of re-entries into foster care (case review and national standard);
- stability of placements (case review and national standard);
- timeliness and appropriateness of permanency goals (case review);
- timeliness of reunification (case review and national standard);
- timeliness of adoption (case review and national standard); and
- appropriate use of the permanency goal “another planned permanent living arrangement” (case review).

Of these indicators, states were most successful at limiting re-entries to foster care. Half of the states (26) met the national standard—meaning that statewide data showed that 8.6% or less of the children who were entering foster care in the year under review had entered foster care previously within the past 12 months—and close to half (24) received a “strength” rating for this indicator based on the applicable case reviews. Based on the case reviews, states were least successful in meeting the indicators regarding minimizing the number of placements for children and developing appropriate permanency goals for foster care children on a timely basis. Only five states received a strength rating for either one of these indicators and just 14 states met the national standard of 86.7% (or more) of the children who were in care for 12 months or less experiencing two or fewer placements.

Among the indicators related to specific permanency goals, achieving timely adoption (within 24 months of foster care entry) was the most difficult for states to achieve—only six states achieved a strength rating in this area based on the case reviews while 14 met the associated national standard. With regard to reunification with a parent or caretaker within 12 months of entering foster care, 19 met the associated national standard.<sup>11</sup> Finally, 16 states received a strength rating for their use of the permanency goal, another planned permanent living arrangement.

The case review system, which is spelled out in detail in Section 475 of the Social Security Act, is a key part of federal child welfare policy designed both to ensure the protection of children while in care and to enable them to achieve stable and permanent living arrangements. States had the most difficulty achieving strength ratings for indicators associated with implementing parts of the case review system at the case level.

- Only six states received a strength rating for development of written case plans, which are intended to guide the work done with children and families, and which federal law states must be created jointly with parents.
- Less than half of the states (22) received a strength rating for complying with the termination of parental rights (TPR) procedures outlined in the Adoption and Safe Families Act (ASFA), including identifying children who have been in foster care for 15 of the past 22 months, pursuing TPR for these children and reviewing and documenting exceptions to seeking TPR.
- While 41 states (81%) received a strength rating for holding (administrative or court) review of the status of each foster child no less frequently than every six months, only one-half of the states (26) achieved a strength rating for assuring

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child’s permanency goal) was explicitly reviewed, an indicator concerning the timeliness of reunification was added, and questions associated with the provision of independent living services were incorporated in the indicator concerning the appropriate use of another planned permanent living arrangement.

<sup>11</sup> For reviews done in 2002-2004, states’ achievement of timely reunification or placement with a permanent guardian or kin caregiver was also assessed. Just 11% (4 out of 35) of the states reviewed during those years received a strength rating for this item based on their case reviews.

that children in foster care received the required court permanency hearing within 12 months of entering foster care and holding subsequent court permanency hearings no less frequently than every 12 months thereafter.

- Half of the states (26) received a strength rating for ensuring that foster parents, pre-adoptive parents and relative care givers received notice of hearings or reviews held with respect to the child in their care (and had an opportunity to be heard).

## Common challenges to achieving permanent and stable living arrangements

In a report providing general findings on the initial CFSRs, HHS identified “common challenges” that were related to 5 of the 6 indicators used to assess state compliance with the outcome: children have permanent and stable living arrangements.<sup>12</sup> To ensure comparability, this content analysis was based only on states that were reviewed in FY2002-FY2004 (35 states); a “common challenge” is defined as one noted in the final report of at least one-third of those 35 states.<sup>13</sup> Close to three-fourths of the states noted that efforts to identify adoptive or other permanent placement settings at the same time as reunification efforts continued (concurrent planning) did not consistently occur and more than two-thirds of them reported that reconsideration of the goal of reunification is too often delayed. More than half of the states suggested that placement instability is related to insufficient provision of services to foster parents, not enough placement options for certain special needs children, placements made based on availability rather than suitability and frequent use of emergency shelters for temporary placements. More than half of these states also cited inconsistent access to or provision of services to parents to enable timely family reunification. **Table 7** lists each of the reported challenges associated with achieving a permanent and stable living arrangement for children in foster care.

**Table 7. Common Challenges to Achieving Permanent and Stable Living Arrangements for Children in Foster Care**

As reported by HHS and cited in the final reports of states reviewed during FY2002-FY2004

Performance Indicator	Challenge	Percent of states reporting this challenge (out of 35)
Permanency goal is established and appropriate	Concurrent planning efforts are not implemented on a consistent basis when appropriate.	74%
	Goal of reunification is maintained for too long a period of time before reconsideration.	69%
	The case goal “long term foster care” is often established without thorough consideration of adoption or guardianship.	43%
	The agency does not file for termination of parental rights in a timely manner and reasons for not filing are not provided in the case files.	34%

<sup>12</sup> The report is available on the Children’s Bureau website at <http://www.acf.hhs.gov/programs/cb/cwrp/results/statefindings/genfindings04/genfindings04.pdf>. No title page or author is included although the report was possibly prepared for HHS, by James Bell Associates.

<sup>13</sup> In addition to making some changes to the case review instrument before beginning the FY2002 onsite reviews, HHS also established certain formats for the content of final reports to allow comparability between those reports.

Performance Indicator	Challenge	Percent of states reporting this challenge (out of 35)
Foster care placements are stable	Agency does not consistently provide services to foster parents to prevent placement disruptions.	60%
	Placements tend to be based on availability rather than appropriateness.	60%
	There are few appropriate placement options for children with developmental disabilities or with severe behavior problems.	54%
	Emergency shelters frequently used for initial placements and as temporary placements after a disruption occurs, even for young children.	51%
Timely reunification	Agency is not consistent in its efforts to provide the services to parents or ensure parents' access to the services necessary for reunification.	51%
Timely adoption	Agency is not consistent with regard to conducting adoption home studies or completing adoption-related paperwork in a timely manner.	49%
	The appeals process for termination of parental rights decisions is extremely lengthy.	34%
Limiting foster care re-entries	Agency doesn't have sufficient and/or adequate post-reunification services.	37%

**Source:** Table prepared by Congressional Research Service based on Table I-4 in the report *General Findings from the Federal Child and Family Services Review*, posted on the federal Children's Bureau website in Oct. 2004.

**Note:** For the purpose of identifying common challenges, the content analysis was based on the final reports done for states reviewed in FY2002-FY2004 only, because the specific format of the final reports was changed to ensure comparable inclusion of information. In addition, the way that certain of the indicators associated with this outcome were judged was slightly altered beginning with the FY2002 reviews, and the case review indicator assessing timely reunification, guardianship or permanent relative placement replaced the previous indicator concerning independent living services.

## Enhancing Families' Capacity to Meet the Needs of Their Children

The performance indicators associated with the outcome discussed above, "achieving a permanent and stable living arrangement," applied only to children in foster care and outcome compliance was determined via case reviews and comparison of statewide data with the national standards. By contrast, while no statewide data indicators were used to assess compliance with the outcome, "families have enhanced capacity to meet the needs of their child," virtually all of the case review sample—in-home cases and foster care cases—was assessed with regard to this well-being outcome. Nationally of the 2,571 cases reviewed 55% (1,426) were rated as having substantially achieved this goal, 28% (727) were found to have partially achieved the goal, while 16% (418) were found to have not addressed or achieved this goal. In assessing how well a state meets this outcome in each of these cases, the CFSR looks at four specific indicators:

- assessment of the needs of children, parents and foster parents and matching the appropriate services with those individuals;
- involving parents and children in the case planning process;

- conducting regular and quality visits with children; and
- conducting regular and quality visits with parents, pre-adoptive parents, and permanent relatives or guardians of children in care.

Only one state received a strength rating for the outcome indicator concerning assessment of the child and parents needs and provision of needed services. States did relatively better on the remaining three indicators associated with the outcome “enhancing a families’ capacity to provide for their children’s needs”—but no more than 12 states received a strength rating for any one of these indicators.(See **Table 3** above.)

## Common challenges to enhancing the capacity of families to meet the needs of their children

In its content analysis of the final reports of all CFSRs conducted in FY2002-FY2004 (35 states), HHS identified 11 “common challenges” states had that were related to enhancing a family’s capacity to provide for the needs of its children. All 35 states reported insufficient involvement of mothers, fathers, and children (if age-appropriate) in case planning and all but one of them cited insufficient frequency of face-to-face contacts between the case worker and the parents as a concern. A large majority of the 35 states also reported inconsistent assessments of the needs of children, parents and/or foster parents and that even when the needs are identified *appropriate* services are not always provided. **Table 8** lists each of the reported challenges.

**Table 8. Common Challenges to Enhancing the Capacity of Families to Meet the Needs of Their Children**

As reported by HHS and Cited in the Final Reports of States Reviewed During FY2002-FY2004

Performance Indicator	Challenge	Percent of states reporting this challenge (out of 35)
Involving child and family in case planning	Fathers are not sufficiently involved in case planning.	100%
	Mothers are not sufficiently involved in case planning.	100%
	Children (age-appropriate) are not sufficiently involved in case planning.	100%
Case worker visits with parents	Frequency of face-to-face visits is not consistently sufficient to ensure children’s safety and promote attainment of case goals.	97%
	Workers are not consistently focused on case planning and achieving case goals when face-to-face contact is established with parents.	40%
	Agency does not make concerted effort to establish contact with fathers, even when fathers are involved in their children’s lives.	37%
Assessing needs of and providing services to children, parents and foster parents	Agency does not consistently provide appropriate service to meet the identified needs of children and parents.	89%
	Agency does not consistently conduct adequate assessments to determine the needs of children, parents, and/or foster parents.	86%

Performance Indicator	Challenge	Percent of states reporting this challenge (out of 35)
	Agency does not consistently provide services to support foster parents or relative caregivers.	57%
Case worker visits with child	Workers are not consistently focused on case planning and achieving case goals when face-to-face contact is established with children.	40%
	Frequency of face-to-face visits is not consistently sufficient to ensure children's safety and well being.	37%

**Source:** Table prepared by Congressional Research Service based on Table I-5 in the report *General Findings from the Federal Child and Family Services Review*, posted on the federal Children's Bureau website in October 2004.

**Note:** For the purpose of identifying common challenges, the content analysis was based on the final reports done for states reviewed in FY2002-FY2004 only, because the specific format of the final reports was changed to ensure comparable inclusion of information.

## Do States in System Compliance Achieve Better Outcomes?

Federal child welfare policy requires states to have certain systems in place that are intended to improve how the child welfare agency functions. If these systems do increase the ability of a state to achieve positive outcomes for a state, and assuming that the CFSR accurately measures how well a state implements a given system, then states that achieved higher system compliance might be expected to have achieved the CFSR outcomes for a greater share of the cases reviewed.

Statistical analysis of the relationship between system compliance and achievement of the desired outcomes for children shows that states whose array of available services was determined in substantial compliance with federal policy had a significantly higher percentage of cases in which families were found to have enhanced capacity to meet the needs of their children and in which foster children experienced permanent and stable living arrangements (when compared to states found out of compliance with the service array requirement). Additionally, states determined to have adequately implemented a quality assurance system had a significantly higher percentage of cases in which families were found to have enhanced capacity to meet the needs of their children.<sup>14</sup>

There were too few states in compliance with all of the case review system requirements to allow for a statistical comparison based on compliance with this system. However, achievement of a "strength" rating for several of the performance indicators used to assess compliance with the case review system was associated with higher performance on certain outcomes and for other performance indicators associated with the case level review. States that received a strength rating for their implementation of termination of parental rights (TPR) proceedings in compliance with the provisions of the Adoption and Safe Families Act (ASFA) had a significantly higher percentage of cases that substantially achieved the outcome of permanent and stable living arrangements for children in foster care than did those states that were not in compliance with the

<sup>14</sup> The level of significance used for this analysis was a probability equal to or less than .01; in other words, if a finding is reported as significant, the possibility that the relationship between system compliance and higher achievement of positive outcomes could have occurred simply by chance is 1% or less. Because of some adjustments in the survey design this statistical analysis was done only for those states whose reviews occurred in FY2002-FY2004 (35 states). *General Findings from the Federal Child and Family Services Review*, pp. 15-18. (No title page or author included.) Available at <http://www.acf.hhs.gov/programs/cb/cwrp/results/statefindings/genfindings04/genfindings04.pdf>.

ASFA TPR provisions. States that received a strength rating for ensuring periodic review of all cases no less often than every 6 months had a significantly higher percentage of cases rated as having substantially achieved the outcome of enhanced family capacity to provide for children's needs. Finally, states that received a strength rating for the 6-month case review and those that received a strength rating for implementing the required 12-month permanency hearings had a significantly higher percentage of cases that received a strength rating for achieving timely adoptions.<sup>15</sup>

## Assessing Penalties

In mandating the creation of the new review system, Congress required HHS to specify in regulations how financial penalties would be determined for states found to be out of conformity with federal child welfare policy and to make those penalties commensurate with the degree of nonconformity. At the same time, it required HHS to allow states found out of conformity with federal policy to develop and implement a corrective action plan and to rescind any penalties if that plan was successfully implemented.

Financial penalties for non-conformity with federal child welfare policy are to be withheld from a specific pool of child welfare funds that, as defined in the regulation, includes all Title IV-B funds to the state (funding for both Child Welfare Services and Promoting Safe and Stable Families) and 10% of the foster care administrative costs claimed by the state under Title IV-E for the specified penalty period. For the state's initial review, penalties may range from 1% of the specified penalty pool (for failure to achieve a specified level of conformity with one of the outcomes or one of the systems studied) up to 14% (for failure to achieve a specified level of conformity with each of the 14 outcomes or systems studied).

The regulations also specify that if a state reaches the end of its required Program Improvement Plan (PIP) and fails to have successfully completed the plan, HHS must withhold funds from a state (based on the number of outcomes and systems that were found not in substantial conformity during the CFSR and for which the state did not successfully complete the level of improvement outlined in its PIP). This withholding is to begin with the last specified completion date in the PIP and continue until the state successfully achieves the relevant PIP goal or is found in substantial conformity by a subsequent full review. HHS has at times stressed that the CFSR process is about program improvement—not recoupment of federal funds. Through May 2005 it had completed evaluation of PIP implementation by eight states and determined that each of them had met their PIP goals and that therefore no penalties would be assessed. Evaluation of additional states (10 through May 2005) that had completed their PIPs continues. (For state-by-state information on PIP implementation and status see **Appendix A.**)

## Did the Initial CFSR Accurately Measure State Performance?

State officials, advocates and researchers have raised a number of concerns about how “substantial conformity” was measured in the initial CFSR. Several of the measurement concerns are related to the national standards and might call into question the accuracy of the overall assessment that no state was found in substantial conformity with federal child welfare policy. For instance, some researchers and state officials argue that in certain cases what is actually

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<sup>15</sup> Ibid.



measured does not accurately reflect what HHS intended to measure. They further argue that accurate measures are necessary not only to ensure correct penalty assessment but, as important, to ensure that the required Program Improvement Plans (PIPs) are properly focused. Other concerns raised about the CFSR raise questions about what is not measured and ensuring that accountability for outcomes is properly assigned.

## National standards

The national standards are an early effort to establish a quantitative benchmark by which to judge state child welfare performance. State conformity with the national standards directly effects a state's performance rating on just two of the seven outcomes; none of the seven systems that are assessed in the CFSR are directly affected by a state's rating on the national standards. Thus the ability to meet or not meet the national standards might be understood as a relatively small factor in achieving CFSR compliance. At the same time, no state can be found in complete substantial conformity with federal policy until it meets each of the six national standards. Further, if the national standards are not designed in a way that truly measures state performance for a given issue, they might lead HHS to incorrectly require program improvements (or not require improvements) of states who risk financial harm if they do not comply. A number of critiques of these standards have been offered. HHS, which provided in the final regulations that it could "add, amend, and suspend any such statewide data indicator(s)" has announced revised national standards for the second round of the CFSR and these seek to respond to at least some of the criticisms discussed here.<sup>16</sup>

## State variation in policy and caseload

Child welfare systems are administered differently by each state, and, sometimes, by each county within a state, and this can be a problem if each state is judged by a single federal standard. For instance, the federal government largely defers to the states with regard to a definition of child abuse and neglect and state definitions of what constitutes child abuse and neglect; thus, how reports of child abuse and neglect are classified varies significantly.<sup>17</sup> This is a concern for some, who argue that requiring all states to meet the same national standard for preventing recurrence of maltreatment in foster care might unduly punish states that have enacted broader definitions of child maltreatment and/or that have a well-developed system of reporting and investigation while allowing states with more narrow definitions or less efficient reporting and investigating systems to more easily achieve federal compliance.

During the course of the initial review and analysis HHS uncovered a separate example of how varied state policy might affect a state's ability to meet the national standards established with regard to recurrence of maltreatment. Close to half of the states reviewed in FY2002-FY2004 (35 states) indicated that child abuse and neglect allegations for families with open child welfare cases (e.g., in-home cases) are not reported as *new* allegations of abuse or neglect and therefore there is no formal assessment of the validity of the allegation. Instead state policy or practice

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<sup>16</sup> 45 C.F.R. § 1355.34 (4). For announcement of revised standards see Department of Health and Human Services (HHS), Administration for Children and Families (ACF), "The Data Measures, Data Composites, and National Standards to be Used in the Child and Family Services Reviews," 71 *Federal Register* 32969, June 7, 2006. (According to HHS/ACF, Children's Bureau, the method described for calculating the standards in this notice is accurate although some of the standard numbers have been updated.)

<sup>17</sup> For a compilation of state definitions of child abuse and neglect and for reporting procedures see <http://nccanch.acf.hhs.gov/general/legal/statutes/define.pdf> and <http://nccanch.acf.hhs.gov/general/legal/statutes/repproc.pdf>.

usually provides that the caseworker assigned to the family would informally assess the information and act to protect the children if necessary. In short, if child maltreatment is identified, this information—while it is likely acted on—would not be reported to the state’s National Child Abuse and Neglect Database and thus would not be a part of the statewide data used to determine whether or not a state meets the standard on recurrence of maltreatment.<sup>18</sup>

The composition of a state’s caseload may also vary for reasons that are not in control of the child welfare agency or, again, because of state policy decisions. Some researchers have called for “risk-adjusted” standards, although they acknowledge that not enough is known about, for instance demographic characteristics and achievement of certain outcomes to allow for such adjustments.<sup>19</sup> In reviewing findings from the initial CFSR, the report *General Findings from the Federal Child and Family Services Review*, analyzed certain characteristics of the case review sample and the degree of success achieved on certain outcomes.<sup>20</sup> For the most part this analysis found that a state’s overall performance on the CFSR outcomes—when compared to all other states—was largely unaffected by the significant state variation in the case sample demographics (including age, race/ethnicity, primary reason for case opening, and geographic location). The single exception to this overall finding was in regard to the age of children in a state’s case review sample, and state performance on the safety outcome: children are safely maintained in their own homes whenever appropriate and possible. States with a higher percentage of children in their case review sample that were younger than age six at the time of their entry into foster care had a lower percentage of cases rated as substantially achieving that outcome.

At the same time, many more significant relationships were established when the lens of the analysis was shifted from a comparison between states’ performance to the relationship between the particular characteristics of a child in a given case and the performance ratings for cases with children of similar or different characteristics. (For more information on these specific findings see **Appendix D**.)

## Accuracy of data

Closely related to the issue of state variation are certain concerns about data used to determine compliance with the national standards. The most basic concerns the accuracy and comparability of the data. The majority of the data used to set the national standards as well as to assess state performance on those standards are collected via the Adoption and Foster Care Analysis and Reporting System (AFCARS). An analysis by the HHS Office of the Inspector General found that the federal “guidance on reporting AFCARS data supports states beliefs that the lack of clear definitions leads to inconsistent reporting. States believed AFCARS data elements were not clearly and consistently defined and expressed concerns about foster care placement definitions, which potentially affect child welfare performance measures. In addition, differences in states’ methods of reporting dates of discharge and juvenile justice populations may further inhibit uniform performance measures.” The March 2003 Inspector General report recommended that HHS provide more precise definitions for data elements, increase accessibility of technical

<sup>18</sup> *General Findings From the Federal Child and Family Services Review*, p. 8. No title page or author shown. The report is available on the Children’s Bureau website at <http://www.acf.hhs.gov/programs/cb/cwrp/results/statefindings/genfindings04/genfindings04.pdf>.

<sup>19</sup> Mark Courtney, Barbara Needall, and Fred Wulczyn, “Unintended consequences of the push for accountability: the case of national child welfare performance standards,” *Children and Youth Services Review*, 26 (Dec. 2004) 12:1141-1154.

<sup>20</sup> This HHS analysis used data collected as part of the onsite review; however, the characteristics of the cases reviewed are not a part of the final CFSR report.



assistance on data collection, and other provisions.<sup>21</sup> An April 2004 report from the U.S. General Accounting Office (GAO) reported some of the same concerns about data inaccuracies and also made similar recommendations.<sup>22</sup>

HHS has and continues to work on providing more guidance, assessing what states are doing and improving state data collection systems. The agency has also solicited comments on revisions to the AFCARS data collection system. Nonetheless, the national standards used for the initial CFSR were derived from data collected via AFCARS in the early years of the system's operation in most states. Although the department worked closely with each state to ensure that the data used to measure the state against the standards were the best possible data available, some find this troubling. Supporters of the policy to use statewide data measured against a national standard, however, argue that no data system is perfect, that improved data collection is a by-product of using the data (or, in essence that you have to start somewhere, sometime), and that the CFSR assessed state performance in multiple ways (using both qualitative and quantitative data) so that no state could be judged on all of the measures purely by quantitative data.

### What is measured versus what is meant to be measured

Researchers have taken particular issue with three of the data indicators that are used in the national standards. These indicators seek to ensure that states 1) are reuniting children with their families in a timely manner or, 2) are finding timely adoptive placements for children who cannot be reunited with their parents; and 3) do not allow children to exit foster care to placements that are not permanent and simply result in the return of these children to foster care. While researchers generally applaud the intent of these measures—that is the effort to use quantitative data to determine how quickly and effectively states re-establish a permanent home for children who come into care—they argue that some of the measures used in the initial round of reviews might penalize a state even if its performance was improving.

### *Timely adoption and timely reunification*

The national standards for both of these measures look at only children who *exit* foster care in a given year. They determine of those who were reunited with their parents, what share were reunited within 12 months of entering care and, of those who were adopted, what share were adopted within 24 months of entering care. Some researchers have argued that the focus exclusively on children who *exit* foster care means that the overall *likelihood* of a child being adopted or reunited is not being measured—i.e. the measure does not look at *all* children who have been in care during the year but only those who *exit* that care. Further, in the case of adoption, they note that if a state did the hard work of moving many of its longer-staying and likely more difficult to place children into adoptive homes, even if it held steady or improved the rate at which newer entrants moved to adoption, it might perform badly on the official measure. That is the longer staying children moved to adoption—and who presumably were a legacy of older agency practice—would necessarily reduce the share of children adopted within two years.<sup>23</sup>

<sup>21</sup> U.S. Department of Health and Human Services, Office of Inspector General, *Adoption and Foster Care Analysis and Reporting Systems (AFCARS): Challenges and Limitations*, Mar. 2003, pp. 6-11.

<sup>22</sup> U.S. General Accounting Office (GAO) *Child and Family Services Reviews: Better Use of Data and Improved Guidance Could Enhance HHS Oversight of State Performance*, April 2004, pp. 14-17.

<sup>23</sup> Concerns about these measures are discussed at length in Patricia Martin Bishop, Lawrence Grazian, Jess McDonald, Mark Testa, Sophia Gatowski, “The Need for Uniformity in National Statistics and Improvements in

Rather than looking at children who exit foster care, one alternative measure of time to reunification or adoption might follow the group of children (or “cohort” in researcher lingo) who *entered* foster care in a given year to determine how many were adopted within two years or reunited within one year. This kind of measure however would require the administrative data to follow a single child’s records across more than one fiscal year (i.e., it requires longitudinal data) and AFCARS is currently not set up to enable this kind of analysis.<sup>24</sup> Another alternative might group certain measures together. For instance, with regard to timely adoption, in addition to recording the share of children who exited foster care to adoption within 24 months of entering care, the measure would also look at overall likelihood of adoptions (e.g., total children served in given fiscal year divided by number of adoptions in that year).

### ***Foster care re-entry rate***

Criticism of the national standard that looks at the foster care re-entry rate focuses on the fact that changes in a state’s caseload size in the given fiscal year affect state performance in this area—even though those caseload changes may be unrelated to how well a state did at achieving permanency for children in the previous year. This is because the current measure looks at all the children who enter foster care in the given year and asks what percentage of them are *re-entering* care within 12 months of their prior entry to foster care. This means that a state that experiences a decline in new entries to care may have fewer—or at least no greater number of children re-entering than in previous years but its performance might nonetheless be rated as worse than the previous year. By contrast a state with an increasing number of entries to foster care might increase the number of re-entries but show no decline in its performance. One alternative measure might compare the number of children who re-entered care in a given year as a share of the number of children who left foster care (via reunification, adoption, or guardianship) in the previous year.<sup>25</sup>

### **Measuring Outcomes**

Some critics of the CFSR also believe it does not go far enough in its effort to measure outcomes versus processes. In particular they cite the measurement of child and family well-being outcomes as weak. The Pew Commission on Children in Foster Care recommended that Congress require the National Academy of Sciences to study and make recommendations for appropriate measures and outcomes—especially those related to child well-being and further, that HHS convene an ongoing advisory panel of experts to periodically review the measures to ensure that they remain

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Outcome Indicators for Child and Family Services Reviews: Lessons Learned from Child Welfare Reform in Illinois,” *Whittier Journal of Child and Family Advocacy*, 1 (2002) 1:1-36 (hereafter Bishop, et.al, “Need for Uniformity”); and Britany Orlebeke, Fred Wulczyn and Susan Mitchell-Herzfeld, “Improving Public Child Welfare Agency Performance in the Context of the Federal Child and Family Services Reviews,” Chapin Hall Center for Children at the University of Chicago, 2005 (hereafter Orlebeke, et.al. “Improving Public Child Welfare Agency Performance”).

<sup>24</sup> Potential measurement problems related to using “point-in-time” data regarding a given child (sometimes referred to as “cross-sectional” data) as opposed to data that follows the outcome of a given child across time (longitudinal data), are discussed in Mark Courtney, Barbara Needall, and Fred Wulczyn, “Unintended consequences of the push for accountability: the case of national child welfare performance standards,” *Children and Youth Services Review*, 26 (December 2004). The Pew Commission on Children in Foster Care recommended the use of longitudinal data to measure state child welfare performance and legislation in the 108<sup>th</sup> Congress (H.R. 1534, introduced by Rep. Cardin) would have required HHS to consider modifying AFCARS to allow collection of longitudinal data.

<sup>25</sup> Bishop, et.al., “Need for Uniformity,” 26-29. See also Orlebeke, et.al., “Improving Public Child Welfare Agency Performance,” 3-4.

timely and appropriate.<sup>26</sup> Such a panel would however have to reconcile its ultimate recommendations with the federal policies currently in law. The criteria used to judge state performance is based on the federal statute, including its interpretation in regulation. Current law includes relatively limited child welfare provisions specifically related to, for instance, health treatment or education services. It requires that a child's updated health and education record be accessible to foster parents. While a logical interpretation of these requirements might be that these records are supposed to be current and accessible so that children can receive the education services and health services needed, this requires an interpretation. And an easier case might be made for measuring states compliance based on process. (For example: are the records up-to-date and available, as opposed to did the availability of the records lead to adequate health and education services for the child.)

### **Who Is Accountable?**

This same concern might also be viewed as a question of accountability. A child welfare system must be able to count on other agencies and, especially the courts, if it is to successfully achieve positive outcomes for children. Is the state's failure to achieve "substantial conformity" with the performance measure related to the system "service array" and the well-being outcome related to providing adequate mental health services a true problem of the child welfare agency not making the appropriate services available and accessible? Or is it simply a lack of widely available child mental health services in the state? If a state is not in compliance with the statute's termination of parental rights (TPR) provisions, is this because the courts in the state have a tremendous backlog and cannot hear the cases on a timely basis or is it because the child welfare agency is not making an effort to begin these proceedings in a timely manner?

### **The Next Round of CFSRs**

The regulation provides that for states not found in substantial conformity, a second full CFSR is to begin two years after the date HHS approves the state's PIP. However, HHS has since determined that state performance may not be reasonably re-reviewed until at least one year following the *completion* of its PIP. This time is necessary to ensure data used to measure state performance are based on a period *after* the state has completed its improvement plan.<sup>27</sup> The second round of CFSRs is now scheduled to begin in 2007 when 15 states (DE, NC, VT, IN, NM, GA, KS, DC, TX, MA, AZ, AL, OK, OR, and MN) will undergo an onsite review. In this second round of reviews, the regulations provide that the onsite case review must find that the desired outcome was substantially achieved in 95% of the cases reviewed (as opposed to 90% in the initial round). As mentioned above, HHS has revised the national standards that will be used for this round of the CFSR and may also revise its procedures manual and survey instruments for this round of reviews.<sup>28</sup>

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<sup>26</sup> Pew Commission on Children in Foster Care, *Fostering the Future: Safety, Permanency and Well-Being for Children in Foster Care*, May 2004, pp. 29-30.

<sup>27</sup> During the PIP implementation period a state is permitted to be moving toward compliance (as opposed to fully in compliance). Launching a CFSR during this time could simply produce more out of substantial conformity findings.

<sup>28</sup> See "Child and Family Services Review, Technical Bulletin #1, Jan. 2005," available on the Children's Bureau website at [http://www.acf.dhhs.gov/programs/cb/cwrp/geninfo/tech\\_bulletin\\_one.pdf](http://www.acf.dhhs.gov/programs/cb/cwrp/geninfo/tech_bulletin_one.pdf) and the "Child and Family Services Reviews Update" at [http://www.acf.dhhs.gov/programs/cb/cwmonitoring/general\\_info/re\\_update.htm](http://www.acf.dhhs.gov/programs/cb/cwmonitoring/general_info/re_update.htm)

## Appendix A. Initial CFSR Review and PIP Implementation Schedule

States generally have 90 days after the Final Report date to submit a Program Improvement Plan (PIP). There is no time frame for approval of the plan by HHS, and the Department may require changes before granting approval. The approval date is also the formal implementation date for the plan. States generally have two years in which to implement their PIP. In rare instances, the regulations provide that a state may receive approval from HHS for an additional year to complete their PIP. Florida, Louisiana and Mississippi were each granted an additional year to complete their PIPs.

As of the end of September 2006, 42 states had reached the end of the PIP implementation period and for at least 20 of those states HHS had evaluated their success in meeting the agreed-upon level of improvements in those plans. In 19 of the states, the Department determined the goals of the PIP had been met and therefore all penalties that would have resulted from the state's initial CFSR were rescinded. In one jurisdiction (District of Columbia), HHS determined that not all of the agreed-upon improvements had been achieved and a fine of \$135,285 has been assessed.

**Table A-1. Initial Onsite Review Schedule with Final Report and PIP Approval, Approximate Completion, and Evaluation Date**

State	Date				Completed <sup>a</sup>	
	of Onsite Review	Final Report Issued	PIP Approved (Start date)	Approximate PIP Completion <sup>b</sup>	PIP	Evaluation
Alabama	4/1/2002	6/18/2002	3/28/2003	3/27/2005	Yes	7/7/2006
Alaska	6/24/2002	9/20/2002	9/1/2003	8/31/2005	Yes	
Arizona	9/24/2001	2/4/2002	11/25/2002	11/24/2004	Yes	12/23/2004
Arkansas	7/9/2001	5/6/2002	7/1/2003	6/30/2005	Yes	
California	9/23/2002	1/10/2003	7/1/2003	6/30/2005	Yes	
Colorado	6/17/2002	11/12/2002	10/22/2003	10/21/2005	Yes	
Connecticut	4/8/2002	8/19/2002	8/20/2003	8/19/2005	Yes	
Delaware	3/12/2001	6/25/2001	12/20/2001	12/19/2003	Yes	9/17/2004
Dist. of Columbia	7/30/2001	2/19/2002	9/19/2002	9/18/2004	Yes	3/23/2006 <sup>c</sup>
Florida	8/6/2001	4/23/2002	4/1/2003	3/31/2006	Yes	
Georgia	7/16/2001	10/10/2001	10/1/2002	9/30/2004	Yes	
Hawaii	7/14/2003	11/6/2003	7/1/2004	6/30/2006	Yes	
Idaho	5/12/2003	8/14/2003	2/1/2004	1/31/2006	Yes	4/28/2006
Illinois	9/15/2003	2/12/2004	12/10/2004	12/9/2006		
Indiana	8/20/2001	1/8/2002	8/30/2002	8/29/2004	Yes	12/29/2004
Iowa	5/19/2003	10/14/2003	8/1/2004	7/31/2006	Yes	
Kansas	8/6/2001	9/17/2001	9/16/2002	9/15/2004	Yes	10/28/2004
Kentucky	3/3/2003	6/2/2003	11/4/2003	11/3/2005	Yes	

State	Date				Completed <sup>a</sup>	
	of Onsite Review	Final Report Issued	PIP Approved (Start date)	Approximate PIP Completion <sup>b</sup>	PIP	Evaluation
Louisiana	9/8/2003	2/9/2004	10/1/2004	9/30/2007		
Maine	7/21/2003	10/27/2003	8/3/2004	8/2/2006	Yes	
Maryland	11/17/2003	6/9/2004	3/25/2005	3/24/2007		
Massachusetts	7/23/2001	1/29/2002	11/27/2002	11/26/2004	Yes	3/17/2005
Michigan	9/9/2002	12/19/2002	5/24/2004	5/23/2006	Yes	
Minnesota	5/14/2001	8/28/2001	7/1/2002	6/31/2004	Yes	8/14/2004
Mississippi	2/9/2004	5/18/2004	4/1/2005	3/31/2008		
Missouri	12/8/2003	3/10/2004	2/1/2005	1/31/2007		
Montana	8/19/2002	1/14/2003	1/16/2004	1/15/2006	Yes	3/23/2006
Nebraska	7/15/2002	10/2/2002	8/13/2003	8/12/2005	Yes	
Nevada	2/23/2004	6/1/2004	3/1/2005	2/28/2007		
New Hampshire	6/9/2003	9/19/2003	5/28/2004	5/27/2006	Yes	
New Jersey	3/22/2004	5/5/2004	10/1/2004	9/30/2006	Yes	
New Mexico	8/27/2001	4/10/2002	4/1/2003	3/31/2005	Yes	7/24/2006
New York	6/18/2001	1/9/2002	4/14/2003	4/13/2005	Yes	8/10/2005
North Carolina	3/26/2001	5/14/2001	12/28/2001	12/27/2003	Yes	6/25/2005
North Dakota	9/24/2001	4/15/2002	11/13/2003	11/12/2005	Yes	3/23/2006
Ohio	5/20/2002	1/8/2003	12/3/2003	12/2/2005	Yes	
Oklahoma	3/18/2002	7/1/2002	1/22/2003	1/21/2005	Yes	6/6/2005
Oregon	6/4/2001	8/3/2001	7/9/2002	7/8/2004	Yes	7/9/2004
Pennsylvania	8/26/2002	11/21/2002	5/1/2003	4/30/2005	Yes	3/24/2006
Puerto Rico	8/4/2003	12/8/2003	10/22/2004	10/21/2006		
Rhode Island	3/8/2004	9/8/2004	8/15/2005	8/14/2007		
South Carolina	6/23/2003	9/2/2003	6/17/2004	6/16/2006	Yes	
South Dakota	10/22/2001	5/2/2002	10/17/2003	10/16/2005	Yes	
Tennessee	6/3/2002	8/19/2002	7/1/2003	6/30/2005	Yes	3/23/2006
Texas	2/11/2002	8/23/2002	4/1/2003	3/31/2005	Yes	
Utah	4/28/2003	9/4/2003	7/15/2004	7/14/2006	Yes	
Vermont	4/30/2001	7/2/2001	3/27/2002	3/26/2004	Yes	6/30/2004
Virginia	7/7/2003	4/21/2004	2/1/2005	1/31/2007		
Washington	11/3/2003	2/11/2004	10/1/2004	9/30/2006	Yes	
West Virginia	5/6/2002	10/2/2002	6/9/2003	6/8/2005	Yes	4/28/2006
Wisconsin	8/18/2003	1/14/2004	11/1/2004	10/31/2006		
Wyoming	7/8/2002	4/1/2003	1/1/2004	12/31/2005	Yes	

**Source:** Table prepared by Congressional Research Service (CRS) based on information received from the U.S. Department of Health and Human Services (HHS), October 18, 2006.

- a. A blank cell means that, as of the end of July 2006, the state had not completed its PIP or that as of that same time, HHS had not yet completed the evaluation of state PIP implementation. (Final HHS evaluation of the PIP cannot occur until the plan is completed.)
- b. PIP completion dates are approximate.
- c. The District of Columbia was found to have not met all of the agreed-upon improvements and a fine of \$135,285 was assessed.

## **Appendix B. Overview of State Performance on Outcomes, Systems, and National Standards**

This appendix includes three tables that summarize state performance in the initial round of Child and Family Services Reviews. Tables included are—

- **Table B-1.** State Performance on Outcomes in the Initial Child and Family Services Review
- **Table B-2.** State Performance on the National Standards in the Initial Child and Family Services Review
- **Table B-3.** State Performance on Systems in the Initial Child and Family Services Review

**Table B-1. State Performance on Outcomes in the Initial Child and Family Services Review**

Based on final review status for 52 jurisdictions

Outcome	Performance indicators Except where otherwise noted, outcome performance measured through case review only	States in substantial conformity	
		# (%)	name
Safety			
Children are first and foremost protected from abuse and neglect.	Case Review —Timeliness of investigation of maltreatment reports —Recurrence of maltreatment National Standards (statewide data) —Recurrence of maltreatment —Maltreatment while in foster care	6 (12%)	AL, AR, AZ, DC, PA, SC
Children are safely maintained in their homes whenever possible and appropriate.	—Services to protect children in home and prevent removal —Risk of harm to child	6 (12%)	AZ, IA, KS, NM, NY, UT
Permanence			
Children have permanency and stability in their living situations.	Case Review —Foster care re-entries —Placement stability —Permanency goal (e.g. established, appropriate) —Timely achievement of reunification, guardianship, or kin placement <sup>a</sup> —Timely achievement of adoption —Appropriate use of “another planned living arrangement” National Standards (statewide data) —Foster care re-entries —Timely achievement of reunification —Timely achievement of adoption —Placement stability	0	
The continuity of family relationships and connections is preserved for children.	—Proximity of placement to parent’s home —Placement in foster care with siblings —Frequency of visits with parents and siblings	7 (13%)	FL, ID, LA, MA, ND, OR, TX



Outcome	Performance indicators <i>Except where otherwise noted, outcome performance measured through case review only</i>	States in substantial conformity	
		# (%)	name
	<ul style="list-style-type: none"> <li>—Connections with family and community preserved</li> <li>—Use of relatives as placement resource</li> <li>—Relationship with parents maintained</li> </ul>		
<b>Child and Family Well-Being</b>			
Families have enhanced capacity to provide for their children's needs.	<ul style="list-style-type: none"> <li>—Assessment of services needs of child, parents and foster parents</li> <li>—Involvement of child and parents in case planning</li> <li>—Frequency and quality of caseworker visits with child</li> <li>—Frequency and quality of caseworker visits with parents</li> </ul>	0	
Children receive appropriate services to meet their educational needs.	<ul style="list-style-type: none"> <li>—Provide for child's education needs</li> </ul>	16 (31%)	CO, CT, HI IA, ID, KS, KY, ME, MT, NH, NY, ND, UT, VA VT, WI
Children receive appropriate services to meet their physical and mental health needs.	<ul style="list-style-type: none"> <li>—Provide for child's physical health needs</li> <li>—Provide for child's mental health needs</li> </ul>	1 (2%)	DE

**Source:** Table prepared by the Congressional Research Service (CRS) based on final review status for 50 states, the District of Columbia and Puerto Rico.

- a. The case review performance indicators for this outcome were adjusted following the initial FY2001 reviews. The indicators shown were used for those reviews that occurred in FY2002-FY2004. For the 17 states reviewed in FY2001 a performance indicator related to provision of independent living services to children age 16 or older was included and the indicator related to timely reunification was not included.

**Table B-2. State Performance on the National Standards in the Initial Child and Family Services Review**

Based on final reviews in 52 states

Data Indicator and National Standard	States Meeting the Standard		States Not Meeting the Standard	
	#	name	#	name
<b>Recurrence of Maltreatment.</b> Of all the children who were found to be victims of child maltreatment during the first six months of the period under review, <b>6.1% or fewer</b> were the subject of another substantiated or indicated child maltreatment report within six months.	17	AL, AZ, AR, CO, DE, DC, GA, KS, ME, MI, MN, MS, PA, SC, TN, TX, VA	35	AK, CA, CT, FL, HI, IA, ID, IL, IN, KY, LA, MA, MD, MO, MT, NE, NH, NM, NJ, NY, NC, ND, NV, OH, OK, OR, PR, RI, SD, UT, VT, WA, WV, WI, WY

Data Indicator and National Standard	States Meeting the Standard		States Not Meeting the Standard	
	#	name	#	name
<b>Incidence of Child Maltreatment in Foster Care.</b> Of all children in foster care in the state during the period under review <b>0.57% or less</b> were found to be victims of child maltreatment at the hands of a foster care parent or a foster care facility staff member.	28	AL, AZ, AR, DE, DC, ID, IL, IN, ME, MD, MI, MN, MT, NE, NV, NH, ND, PA, PR, SC, SD, TX, UT, VT, VA, WA, WV, WY	24	AK, CA, CO, CT, FL, GA, HI, IA, KS, KY, LA, MA, MO, MS, NM, NJ, NY, NC, OH, OK, OR, RI, TN, WI
<b>Foster Care Re-entries.</b> Of all children who entered foster care during the year under review, <b>8.6% or fewer</b> of those children re-entered foster care within 12 months of a prior foster care episode.	26	AL, AK, CT, DE, FL, GA, KS, LA, ME, MD, MI, MO, MS, NE, NV, NM, NJ, NY, NC, PR, SC, TX, VA, VT, WV, WY	26	AR, AZ, CA, CO, DC, HI, ID, IL, IN, IA, KY, MA, MN, MT, NH, ND, OH, OK, OR, PA, RI, SD, TN, UT, WA, WI
<b>Length of Time to Achieve Reunification.</b> Of all the children who were reunified with their parents or caretakers at the time of discharge from foster care, <b>76.2% or more</b> children were reunified in less than 12 months from the time of the latest removal from home.	19	AR, CO, DE, HI, ID, IA, KY, MN, MT, NV, NM, OK, OR, SC, SD, UT, WA, WV, WY	33	AL, AK, AZ, CA, CT, DC, FL, GA, IL, IN, KS, LA, ME, MA, MD, MI, MO, MS, NE, NH, NJ, NY, NC, ND, OH, PA, PR, RI, TN, TX, VA, VT, WI
<b>Length of Time to Achieve Adoption.</b> Of all children who exited foster care during the year under review to a finalized adoption, <b>32% or more</b> children exited care in less than 24 months from the time of the latest removal from home.	14	CO, DC, FL, HI, ID, IA, KS, MI, MT, ND, RI, SD, TX, UT	38	AL, AK, AR, AZ, CA, CT, DE, GA, IL, IN, KY, LA, ME, MD, MA, MN, MO, MS, NE, NV, NH, NJ, NM, NY, NC, OH, OK, OR, PA, PR, SC, TN, VA, VT, WA, WV, WI, WY
<b>Stability of Foster Care Placements.</b> Of all children who have been in foster care less than 12 months from the time of the latest removal, <b>86.7% or more</b> children had no more than two placement settings.	14	AL, CO, CT, DE, DC, GA, IA, MD, NH, NM, PR, WV, WI, WY	38	AK, AZ, AR, CA, FL, HI, ID, IL, IN, KS, KY, LA, ME, MA, MI, MN, MO, MS, MT, NE, NV, NJ, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA

Source: Table prepared by the Congressional Research Service (CRS).

**Table B-3. State Performance on Systems in the Initial Child and Family Services Review**

Based on final review status for 52 jurisdictions

System	How conformity is determined	States in substantial conformity		States not in substantial conformity	
		# (%)	Name	# (%)	Name
Statewide Information System	—State's system can readily identify status, characteristics, location, and goals for every child in foster care.	45 (87%)	AL, AK, AR, AZ, CA, CO, DE, FL, HI, IA, ID, IL, IN, KS, KY, LA, ME, MA, MI, MN, MO, MT, NE, NH, NJ, NM, NC, ND, NV, OH, OK, OR,	7 (13%)	CT, DC, GA, MD, MS, NY, PR

System	How conformity is determined	States in substantial conformity		States not in substantial conformity	
		# (%)	Name	# (%)	Name
			PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WI, WY		
Case Review System	<ul style="list-style-type: none"> <li>—Children in foster care have written case plans developed jointly with parents.</li> <li>—Children in foster care have court or administrative reviews every 6 months.</li> <li>—Children in foster care have permanency hearings at least every 12 months.</li> <li>—AFSA requirements for termination of parental rights are in place.</li> <li>—Foster caretakers notified of hearings/ reviews; have opportunity to be heard.</li> </ul>	13 (25%)	AZ, AR, DE, GA, IN, KS, LA, MN, NM, NC, ND, TX, VT	39 (75%)	AL, AK, CA, CO, CT, DC, FL, HI, ID, IL, IA, KY, ME, MD, MA, MI, MS, MO, MT, NE, NV, NH, NJ, NY, OH, OK, OR, PA, PR, RI, SC, SD, TN, UT, VA, WA, WV, WI, WY
Quality Assurance System	<ul style="list-style-type: none"> <li>—State has standards to ensure children in foster care receive quality services to protect their safety and health.</li> <li>—State has quality assurance system to evaluate services and provide feedback.</li> </ul>	35 (67%)	AL, AR, CO, CT, DC, DE, FL, GA, IL, IN, KS, KY, LA, MA, MI, MN, MO, NH, NM, NY, NC, ND, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WA, WV, WY	17 (33%)	
Training	<ul style="list-style-type: none"> <li>—State operates a training program for new staff who provide services.</li> <li>—State operates ongoing training of staff.</li> <li>—State provides for training of foster and adoptive parents, and of child care staff.</li> </ul>	34 (65%)	AL, AK, AR, CO, CT, DE, FL, GA, IL, KY, LA, ME, MA, MD, MI, MN, MO, MT, NE, NV, NH, NM, NY, NC, ND, OH, OK, PA, SC, SD, TX, UT, VT, WV	18 (35%)	AZ, CA, DC, HI, ID, IN, IA, KS, MS, NJ, OR, PR, RI, TN, VA, WA, WI, WY
Service Array	<ul style="list-style-type: none"> <li>—State has an array of services that support a safe home environment, enable children to remain safely with their parents, and help children achieve permanency.</li> <li>—The services are accessible in all political jurisdictions covered by the state plan.</li> <li>—The services can be tailored to the individual needs of children and families.</li> </ul>	23 (44%)	AL, AZ, AR, CO, CT, DC, DE, IN, KS, LA, MA, MI, MN, MT, NC, ND, OH, OR, PA, TX, UT, VT, WV	29 (56%)	AK, CA, FL, GA, HI, ID, IL, IA, KY, ME, MD, MS, MO, NE, NV, NH, NJ, NM, NY, OK, PR, RI, SC, SD, TN, VA, WA, WI, WY
Agency Responsiveness to the Community	—State consults on an ongoing basis with other groups (e.g., tribes, courts) and includes their concerns in the state plan.	49 (94%)	AL, AK, AR, AZ, CA, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, ME, MA, MD, MI, MN, MO, MS, MT, NE, NV,	3 (6%)	CO, NJ, RI

System	How conformity is determined	States in substantial conformity		States not in substantial conformity	
		# (%)	Name	# (%)	Name
	<p>—Agency develops, in consultation with these other groups, annual reports on progress and services delivered.</p> <p>—State’s services are coordinated with services or benefits of other federal programs serving the same population.</p>		NH, NM, NY, NC, ND, OH, OK, OR, PA, PR, SC, SD, TN, TX, UT, VA, VT, WA, WV, WI, WY		
Foster and Adoptive Parent Licensing Recruitment and Retention	<p>—Standards for foster family home and child care institutions have been implemented and are reasonably in accord with recommended national standards.</p> <p>—Standards are applied to all licensed homes or child care institutions receiving Title IV-E or Title IV-B funds.</p> <p>—State complies with federal criminal background clearance requirements for licensing or approval of foster care and adoptive placements</p> <p>—State has a process to ensure diligent recruitment of potential foster and adoptive families who reflect the ethnic and racial diversity of children needing placements.</p> <p>—State has process for effective use of cross-jurisdictional resources to aid timely adoptive or permanent placements.</p>	43 (83%)	AL, AR, AZ, CO, CT, DC, DE, FL, IA, ID, IL, IN, KS, KY, LA, ME, MA, MD, MI, MN, MO, MS, MT, NH, NM, NY, NV, NC, ND, OH, OK, OR, PA, PR, SC, SD, TN, TX, UT, WA, WV, WI, WY	9 (17%)	AK, CA, GA, HI, NE, NJ, RI, VA, VT

**Source:** Table prepared by the Congressional Research Service (CRS).

## Appendix C. State Performance on Outcomes Assessed in the Initial Child and Family Services Review

This appendix contains a summary table showing aggregate state performance on the case reviews along with detailed tables showing, for each state and each outcome, how many cases were found to have substantially achieved, partially achieved and not addressed or achieved a given outcome. Individual state performance on the national standards is also shown for the two outcomes where these standards were a part of determining the state's overall compliance. Tables included are—

- **Table C-1.** Performance Ratings for Applicable Cases Reviewed in the Initial Child and Family Services Review
- **Table C-2.** Safety Outcome 1: Children are First and Foremost Protected from Abuse and Neglect
- **Table C-3.** Safety Outcome 2: Children are Safely Maintained in Their Own Homes Whenever Possible and Appropriate
- **Table C-4.** Permanency Outcome 1: Children have Permanence and Stability in Their Living Situation
- **Table C-5.** Permanence Outcome 2: The Continuity of Family Relationships and Connections is Preserved for Children
- **Table C-6.** Well-Being Outcome 1: Families Have Enhanced Capacity to Meet Their Needs of Their Children
- **Table C-7.** Well-Being Outcome 2: Children Receive Appropriate Services to Meet Their Education Needs
- **Table C-8.** Well-Being Outcome 3: Children Receive Adequate Services to Meet Their Physical and Mental Health Needs

**Table C-1. Performance Ratings for Applicable Cases Reviewed in the Initial Child and Family Services Review**

Based on final reviews in 52 jurisdictions

Outcome	States found in substantial conformity (number)	Applicable cases reviewed			
		Total (number)	% Substantially achieved (number)	% Partially achieved (number)	% Not achieved/ addressed (number)
<i>Safety 1:</i> Children are first and foremost protected from abuse and neglect. <sup>a</sup>	6	2346	85% (1990)	12% (284)	3% (72)
<i>Safety 2:</i> Children are safely maintained in their homes whenever possible and appropriate.	6	2352	78% (1832)	10% (232)	12% (288)
<i>Permanency 1:</i> Children have permanency and stability in their living situations. <sup>b</sup>	0	1479	56% (822)	37% (548)	7% (109)

Outcome	States found in substantial conformity (number)	Applicable cases reviewed			
		Total (number)	% Substantially achieved (number)	% Partially achieved (number)	% Not achieved/ addressed (number)
Permanency 2: The continuity of family relationships and connections is preserved for children.	7	1476	76% (1119)	22% (326)	2% (31)
Well-being 1: Families have enhanced capacity to provide for their children's needs.	0	2571	55% (1426)	28% (727)	16% (418)
Well-being 2: Children receive appropriate services to meet their educational needs.	16	2012	84% (1691)	7% (145)	9% (176)
Well-being 3: Children receive appropriate services to meet their mental and physical health needs.	1	2441	70% (1713)	18% (437)	12% (291)

**Source:** Table prepared by Congressional Research Service (CRS) based on data included in final reports of Child and Family Services Reviews in 50 states, the District of Columbia, and Puerto Rico. Row percentages may not sum to 100 due to rounding.

- To be found in substantial conformity on this outcome, states had to meet the 90% threshold in applicable cases reviewed and, based on statewide aggregate data, they also had to meet two national standards. Twelve states met both of these national standards. See **Table 2** of the report for more information on the national standards.
- To be found in substantial conformity on this outcome, states had to meet the 90% threshold in applicable cases reviewed and, based on statewide aggregate data, they also had to meet four national standards. No state met all four of these standards. See **Table 2** of the report for more information on the national standards.

**Table C-2. Safety Outcome 1: Children are First and Foremost Protected from Abuse and Neglect**

To have been found in Substantial Conformity with this outcome a state needed to substantially achieve the outcome in no less than 90% of the applicable cases reviewed (case review requirement) and must have met both of the national standards associated with this outcome.

Safety Outcome I	Applicable cases reviewed							Associated national standards	
	Bold text in Substantially achieved column indicates state met case review requirement							Bold text indicates state met national standard	
	Total	Substantially achieved		Partially achieved		Not addressed or achieved		Recurrence of abuse or neglect 6.1% or less	Abuse or neglect while in foster care 0.57% or less
#		%	#	%	#	%			
State (State found in substantial conformity if cell text is bolded.)									
Alabama	42	40	95%	0	0%	2	5%	5.2	0.15
Alaska	50	31	62%	14	28%	5	10%	23.6	1.91
Arizona	50	45	90%	5	10%	0	0%	4.8	0.08
Arkansas	43	39	91%	4	9%	0	0%	4.5	0.29

Safety Outcome I	Applicable cases reviewed								Associated national standards	
	Bold text in Substantially achieved column indicates state met case review requirement								Bold text indicates state met national standard	
	Total	Substantially achieved		Partially achieved		Not addressed or achieved		Recurrence of abuse or neglect 6.1% or less	Abuse or neglect while in foster care 0.57% or less	
#		#	%	#	%	#	%			
State (State found in substantial conformity if cell text is bolded.)										
California	48	43	90%	5	10%	0	0%	10.7	1.06	
Colorado	38	34	89%	4	11%	0	0%	2.7	0.73	
Connecticut	45	41	91%	2	4%	2	4%	11.4	3.07	
Delaware	37	32	86%	4	11%	1	3%	2.2	0.05	
District of Columbia	47	46	98%	0	0%	1	2%	4.7	0	
Florida	49	42	86%	7	14%	0	0%	6.2	0.87	
Georgia	48	43	90%	3	6%	2	4%	4.2	1.08	
Hawaii	50	37	74%	11	22%	2	4%	7.2	0.95	
Idaho	48	40	83%	1	2%	7	15%	9.3	0.4	
Illinois	44	40	91%	4	9%	0	0%	10.1	0.57	
Indiana	46	44	96%	1	2%	1	2%	7.8	0.42	
Iowa	41	34	83%	7	17%	0	0%	11.2	0.89	
Kansas	47	41	87%	4	9%	2	4%	3.2	1.55	
Kentucky	48	39	81%	8	17%	1	2%	8.6	0.65	
Louisiana	47	41	87%	4	9%	2	4%	6.8	0.58	
Maine	48	35	73%	12	25%	1	2%	5.7	0.48	
Maryland	47	41	87%	4	9%	2	4%	8.0	0.52	
Massachusetts	47	42	89%	4	9%	1	2%	7.4	0.94	
Michigan	49	41	84%	7	14%	1	2%	3.3	0.33	
Minnesota	47	41	87%	6	13%	0	0%	5.9	0.41	
Mississippi	45	38	84%	7	16%	0	0%	4.6	0.59	
Missouri	47	37	79%	6	13%	4	9%	7.3	0.62	
Montana	48	37	77%	10	21%	1	2%	13.1	0.19	
Nebraska	31	24	77%	5	16%	2	6%	7.6	0.04	
Nevada	46	32	70%	11	24%	3	7%	7.6	0.17	
New Hampshire	44	43	98%	1	2%	0	0%	8.3	0.1	
New Jersey	49	40	82%	8	16%	1	2%	6.9	0.69	
New Mexico	50	43	86%	2	4%	5	10%	8.3	NA	
New York	42	42	100%	0	0%	0	0%	13.5	1.14	
North Carolina	49	40	82%	9	18%	0	0%	8.0	0.83	



Safety Outcome I	Applicable cases reviewed								Associated national standards	
	Bold text in Substantially achieved column indicates state met case review requirement								Bold text indicates state met national standard	
	Total	Substantially achieved		Partially achieved		Not addressed or achieved		Recurrence of abuse or neglect 6.1% or less	Abuse or neglect while in foster care 0.57% or less	
#		#	%	#	%	#	%			
State (State found in substantial conformity if cell text is bolded.)										
North Dakota	47	37	79%	9	19%	1	2%	11.7	0.44	
Ohio	45	38	84%	5	11%	2	4%	8.6	0.59	
Oklahoma	50	40	80%	9	18%	1	2%	11.7	1.27	
Oregon	50	43	86%	3	6%	4	8%	6.8	0.80	
Pennsylvania	41	38	93%	3	7%	0	0%	3.5	0.25	
Puerto Rico	41	38	93%	1	2%	2	5%	9.3	0.45	
Rhode Island	40	31	78%	9	23%	0	0%	10.2	1.1	
South Carolina	49	45	92%	4	8%	0	0%	3.1	0.51	
South Dakota	50	34	68%	12	24%	4	8%	11.0	0.56	
Tennessee	39	33	85%	6	15%	0	0%	2.8	0.60	
Texas	50	43	86%	7	14%	0	0%	4.2	0.29	
Utah	43	35	81%	7	16%	1	2%	7.4	0.57	
Vermont	41	36	88%	3	7%	2	5%	6.6	0.15	
Virginia	40	34	85%	5	13%	1	3%	3.8	0.34	
Washington	42	36	86%	5	12%	1	2%	10.8	0.32	
West Virginia	44	37	84%	7	16%	0	0%	6.4	0.04	
Wisconsin	43	34	79%	6	14%	3	7%	6.9	0.61	
Wyoming	34	30	88%	3	9%	1	3%	6.3	0.43	

**Source:** Table prepared by the Congressional Research Service based on information in the CFSR final reports from 50 states, the District of Columbia and Puerto Rico. Row percentages in Columns 4, 6 and 8 may not sum to 100 due to rounding.

**Table C-3. Safety Outcome 2: Children are Safely Maintained in Their Own Homes Whenever Possible and Appropriate**

To have been found in substantial conformity with this outcome a state need to substantially achieve the outcome in no less than 90% of the applicable cases reviewed.

Safety Outcome 2 State (State found in substantial conformity if cell text is bolded.)	Applicable Cases Reviewed							
	Total	Substantially achieved		Partially achieved		Not achieved or addressed		
		#	#	%	#	%	#	%
Alabama	49	34	69%	6	12%	9	18%	
Alaska	50	30	60%	13	26%	7	14%	
<b>Arizona</b>	46	42	91%	4	9%	0	0%	

Safety Outcome 2 State (State found in substantial conformity if cell text is bolded.)	Applicable Cases Reviewed						
	Total	Substantially achieved		Partially achieved		Not achieved or addressed	
	#	#	%	#	%	#	%
Arkansas	35	25	71%	4	11%	6	17%
California	47	40	85%	4	9%	3	6%
Colorado	39	32	82%	4	10%	3	8%
Connecticut	47	41	87%	5	11%	1	2%
Delaware	35	29	83%	1	3%	5	14%
District of Columbia	47	33	70%	3	6%	11	23%
Florida	50	39	78%	8	16%	3	6%
Georgia	49	38	78%	6	12%	5	10%
Hawaii	49	39	80%	6	12%	4	8%
Idaho	49	35	71%	5	10%	9	18%
Illinois	48	39	81%	2	4%	7	15%
Indiana	42	35	83%	2	5%	5	12%
<b>Iowa</b>	46	43	93%	2	4%	1	2%
<b>Kansas</b>	48	43	90%	4	8%	1	2%
Kentucky	50	43	86%	3	6%	4	8%
Louisiana	48	40	83%	1	2%	7	15%
Maine	49	37	76%	5	10%	7	14%
Maryland	48	39	81%	4	8%	5	10%
Massachusetts	40	33	83%	1	3%	6	15%
Michigan	49	41	84%	4	8%	4	8%
Minnesota	45	38	84%	1	2%	6	13%
Mississippi	47	36	77%	2	4%	9	19%
Missouri	50	35	70%	7	14%	8	16%
Montana	46	35	76%	8	17%	3	7%
Nebraska	35	31	89%	3	9%	1	3%
Nevada	48	30	63%	10	21%	8	17%
New Hampshire	47	39	83%	4	9%	4	9%
New Jersey	50	24	48%	6	12%	20	40%
<b>New Mexico</b>	50	45	90%	1	2%	4	8%
<b>New York</b>	39	36	92%	2	5%	1	3%
North Carolina	49	34	69%	8	16%	7	14%
North Dakota	42	33	79%	7	17%	2	5%
Ohio	47	39	83%	4	9%	4	9%
Oklahoma	49	40	82%	3	6%	6	12%

Safety Outcome 2 State (State found in substantial conformity if cell text is bolded.)	Applicable Cases Reviewed					
	Total	Substantially achieved		Partially achieved		Not achieved or addressed
	#	#	%	#	%	# %
Oregon	46	37	80%	5	11%	4 9%
Pennsylvania	41	34	83%	4	10%	3 7%
Puerto Rico	40	26	65%	5	13%	9 23%
Rhode Island	44	29	66%	7	16%	8 18%
South Carolina	49	35	71%	6	12%	8 16%
South Dakota	50	35	70%	7	14%	8 16%
Tennessee	38	26	68%	3	8%	9 24%
Texas	49	38	78%	8	16%	3 6%
<b>Utah</b>	42	38	90%	2	5%	2 5%
Vermont	32	26	81%	3	9%	3 9%
Virginia	48	39	81%	4	8%	5 10%
Washington	43	30	70%	3	7%	10 23%
West Virginia	45	31	69%	5	11%	9 20%
Wisconsin	48	40	83%	3	6%	5 10%
Wyoming	33	23	70%	4	12%	6 18%

**Source:** Table prepared by the Congressional Research Service based on information in the CFSR final reports from 50 states, the District of Columbia and Puerto Rico. Row percentages may not sum to 100 due to rounding.

**Table C-4. Permanence Outcome I: Children have Permanence and Stability in Their Living Situation**

To have been found in Substantial Conformity with this outcome a state needed to substantially achieve the outcome in no less than 90% of the applicable cases reviewed (case review requirement) and must have met all four of the national standards associated with this outcome.

<b>Permanence Outcome I</b>	<b>Applicable cases reviewed</b>							<b>Associated national standards</b>			
	<i>Bold text in Substantially achieved column indicates state met case review requirement</i>							<i>Bold text indicates state met national standard</i>			
	<b>Total</b>	<b>Substantially achieved</b>		<b>Partially achieved</b>		<b>Not addressed or achieved</b>		<b>Foster care re-entries 8.6% (or less)</b>	<b>Timely reuniting 76.2% (or more)</b>	<b>Timely adoption 32.0% (or more)</b>	<b>Stability of placement 86.7% (or more)</b>
<i>State (No state was found in substantial conformity with this outcome).</i>	#	#	%	#	%	#	%				
Alabama	30	15	50%	13	43%	2	7%	<b>7.9</b>	63.0	13.1	96.4
Alaska	23	5	22%	14	61%	4	17%	<b>4.6</b>	53.8	21.8	70.6
Arizona <sup>a</sup>	31	23	74%	4	13%	4	13%	10.7	68.0	19.8	81.9
Arkansas <sup>a</sup>	26	16	62%	8	31%	2	8%	10.6	<b>83.4</b>	26.0	68.6
California	25	12	48%	12	48%	1	4%	10.7	53.2	18.0	77.8
Colorado	29	15	52%	13	45%	1	3%	19.3	<b>85.7</b>	<b>49.5</b>	<b>86.9</b>
Connecticut	26	13	50%	12	46%	1	4%	<b>6.0</b>	55.1	6.5	<b>92.8</b>
Delaware <sup>a</sup>	22	20	<b>91%</b>	2	9%	0	0%	<b>6.3</b>	<b>83.6</b>	7.9	<b>97.7</b>
District of Columbia <sup>a</sup>	28	15	54%	13	46%	0	0%	22.3	62.8	<b>39.0</b>	<b>94.7</b>
Florida <sup>a</sup>	29	22	76%	7	24%	0	0%	<b>5.4</b>	44.6	<b>43.4</b>	20.5
Georgia <sup>a</sup>	28	20	71%	4	14%	4	14%	<b>4.4</b>	63.0	23.1	<b>92.3</b>
Hawaii	26	13	50%	13	50%	0	0%	10.0	<b>80.3</b>	<b>51.8</b>	83.8
Idaho	25	11	44%	13	52%	1	4%	11.9	<b>88.9</b>	<b>33.6</b>	81.1
Illinois	25	9	36%	14	56%	2	8%	8.8	51.7	8.8	81.0
Indiana <sup>a</sup>	34	30	88%	2	6%	2	6%	13.8	64.0	22.8	77.7
Iowa	28	14	50%	13	46%	1	4%	25.0	<b>81.0</b>	<b>49.0</b>	88.0
Kansas <sup>a</sup>	25	17	68%	5	20%	3	12%	<b>2.4</b>	50.3	<b>57.6</b>	64.2
Kentucky	28	2	7%	23	82%	3	11%	10.8	<b>82.5</b>	15.9	80.3
Louisiana	30	19	63%	11	37%	0	0%	<b>7.8</b>	65	11.6	83.3

Permanence Outcome I	Applicable cases reviewed							Associated national standards			
	Bold text in Substantially achieved column indicates state met case review requirement							Bold text indicates state met national standard			
	Total	Substantially achieved		Partially achieved		Not addressed or achieved		Foster care re-entries 8.6% (or less)	Timely reuniting 76.2% (or more)	Timely adoption 32.0% (or more)	Stability of placement 86.7% (or more)
State (No state was found in substantial conformity with this outcome).	#	#	%	#	%	#	%				
Maine	31	7	23%	18	58%	6	19%	<b>7.3</b>	54.2	11.9	74.1
Maryland	30	8	27%	19	63%	3	10%	<b>8.3</b>	53.2	14.7	<b>94.5</b>
Massachusetts <sup>a</sup>	32	24	75%	7	22%	1	3%	22.3	72.9	9.4	77.0
Michigan	28	21	75%	7	25%	0	0%	<b>5.0</b>	52.9	<b>32.0</b>	<b>86.2</b>
Minnesota <sup>a</sup>	24	15	63%	7	29%	2	8%	22.7	<b>80.3</b>	27.5	82.3
Mississippi	25	9	36%	13	52%	3	12%	<b>4.6</b>	56.7	19.0	55
Missouri	26	9	35%	13	50%	4	15%	<b>8.5</b>	65.9	30.3	78.7
Montana	29	12	41%	15	52%	2	7%	20.2	<b>87.0</b>	<b>42.2</b>	80.8
Nebraska	35	16	46%	14	40%	5	14%	<b>3.5</b>	44.5	17.9	83.5
Nevada	24	13	54%	9	38%	2	8%	<b>6.9</b>	<b>90.9</b>	29.2	NA
New Hampshire	31	13	42%	17	55%	1	3%	13.3	48.8	5.2	<b>88.7</b>
New Jersey	25	7	28%	15	60%	3	12%	<b>8.2</b>	63.5	17.0	85.1
New Mexico <sup>a</sup>	29	25	86%	4	14%	0	0%	<b>7.2</b>	<b>86.3</b>	23.4	<b>88.7</b>
New York <sup>a</sup>	37	20	54%	15	41%	2	5%	<b>8.6</b>	54.2	3.0	NA
North Carolina <sup>a</sup>	30	22	73%	6	20%	2	7%	<b>1.2</b>	57.7	26.0	61.3
North Dakota <sup>a</sup>	25	23	<b>92%</b>	2	8%	0	0%	16.3	72.8	<b>44.0</b>	86.2
Ohio	26	19	73%	6	23%	1	4%	13.7	74.0	29.2	85.9
Oklahoma	25	16	64%	8	32%	1	4%	15.3	<b>80.2</b>	31.3	75.9
Oregon <sup>a</sup>	35	30	86%	3	9%	2	6%	20.4	<b>79.1</b>	24.2	83.7
Pennsylvania	25	12	48%	12	48%	1	4%	20.1	69.7	19.1	85.2
Puerto Rico	20	9	45%	11	55%	0	0%	<b>2.4</b>	56.1	14.9	<b>99.6</b>
Rhode Island	26	11	42%	13	50%	2	8%	19.2	66.2	<b>45.0</b>	82.3

<b>Permanence Outcome I</b>	<b>Applicable cases reviewed</b>							<b>Associated national standards</b>			
	<i>Bold text in Substantially achieved column indicates state met case review requirement</i>							<i>Bold text indicates state met national standard</i>			
	<b>Total</b>	<b>Substantially achieved</b>		<b>Partially achieved</b>		<b>Not addressed or achieved</b>		<b>Foster care re-entries 8.6% (or less)</b>	<b>Timely reuniting 76.2% (or more)</b>	<b>Timely adoption 32.0% (or more)</b>	<b>Stability of placement 86.7% (or more)</b>
<b>State</b> <i>(No state was found in substantial conformity with this outcome).</i>	#	#	%	#	%	#	%				
South Carolina	30	12	40%	16	53%	2	7%	<b>6.6</b>	<b>82.1</b>	14.0	76
South Dakota <sup>a</sup>	38	30	79%	7	18%	1	3%	14.2	<b>81</b>	<b>60.9</b>	84.9
Tennessee	29	9	31%	14	48%	6	21%	10.1	61.3	10.5	61.1
Texas	32	23	72%	8	25%	1	3%	1.5	64.4	<b>43.7</b>	71.2
Utah	35	20	57%	13	37%	2	6%	15.2	<b>81.7</b>	<b>70.8</b>	80.1
Vermont <sup>a</sup>	42	30	71%	11	26%	1	2%	<b>8.0</b>	64.9	23.0	70.0
Virginia	27	10	37%	16	59%	1	4%	<b>3.6</b>	73.6	17.9	84.8
Washington	25	11	44%	9	36%	5	20%	14.8	<b>81.6</b>	26.7	83.7
West Virginia	29	11	38%	10	34%	8	28%	<b>0.1</b>	<b>79.5</b>	17.3	<b>99.9</b>
Wisconsin	25	12	48%	9	36%	4	16%	25.5	71.0	21.2	<b>93.8</b>
Wyoming	31	22	71%	5	16%	4	13%	<b>8.0</b>	<b>81.6</b>	26.0	<b>87.4</b>

**Source:** Table prepared by the Congressional Research Service based on information in the CFSR final reports from 50 states, the District of Columbia and Puerto Rico. Row percentages in Columns 4, 6 and 8 may not sum to 100 due to rounding.

- a. State was reviewed during FY2001. The case review performance indicators used to rate state performance on this outcome were adjusted following the reviews conducted in FY2001. Consequently, for this outcome, the performance of states reviewed in FY2001 and those reviewed in FY2002-FY2004 are not strictly comparable. For reviews conducted in FY2001 the provision of independent living services in applicable cases (foster care children age 16 or older) was assessed as a specific case review performance indicator but there was no specific case review performance indicator for timely achievement of reunification with parents, permanent kin placement or establishment of guardianship in applicable cases. For all subsequent reviews the assessment of provision of independent living services was incorporated in other parts of the case assessment and a specific case review performance indicator was added to assess the timely achievement of reunification with parents, permanent kin placement or establishment of guardianship in applicable cases.

**Table C-5. Permanence Outcome 2: The Continuity of Family Relationships and Connections is Preserved for Children**

To have been found in substantial conformity with this outcome a state need to substantially achieve the outcome in no less than 90% of the applicable cases reviewed.

<b>Permanence Outcome 2</b>	<b>Applicable Cases Reviewed</b>						
	<b>Total</b>	<b>Substantially achieved</b>		<b>Partially achieved</b>		<b>Not achieved or addressed</b>	
	<b>#</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>State</b> (State found in substantial conformity if cell text is bolded.)							
Alabama	30	21	70%	9	30%	0	0%
Alaska	23	15	65%	8	35%	0	0%
Arizona	31	25	81%	5	16%	1	3%
Arkansas	26	19	73%	7	27%	0	0%
California	25	22	88%	2	8%	1	4%
Colorado	29	23	79%	5	17%	1	3%
Connecticut	26	21	81%	5	19%	0	0%
Delaware	21	17	81%	4	19%	0	0%
District of Columbia	28	22	79%	4	14%	2	7%
<b>Florida</b>	29	26	90%	2	7%	1	3%
Georgia	28	21	75%	7	25%	0	0%
Hawaii	26	18	69%	7	27%	1	4%
<b>Idaho</b>	25	23	92%	2	8%	0	0%
Illinois	25	19	76%	6	24%	0	0%
Indiana	34	30	88%	3	9%	1	3%
Iowa	28	23	82%	4	14%	1	4%
Kansas	25	20	80%	5	20%	0	0%
Kentucky	28	20	71%	7	25%	1	4%
<b>Louisiana</b>	30	27	90%	3	10%	0	0%
Maine	31	19	61%	11	35%	1	3%
Maryland	28	18	64%	10	36%	0	0%
<b>Massachusetts</b>	32	29	91%	3	9%	0	0%
Michigan	28	21	75%	7	25%	0	0%
Minnesota	24	20	83%	4	17%	0	0%
Mississippi	25	14	56%	11	44%	0	0%
Missouri	26	16	62%	9	35%	1	4%
Montana	29	22	76%	6	21%	1	3%
Nebraska	35	23	66%	12	34%	0	0%
Nevada	24	13	54%	9	38%	2	8%
New Hampshire	31	24	77%	7	23%	0	0%



Permanence Outcome 2	Applicable Cases Reviewed						
	Total	Substantially achieved		Partially achieved		Not achieved or addressed	
		#	%	#	%	#	%
<b>State</b> (State found in substantial conformity if cell text is bolded.)							
New Jersey	24	17	71%	6	25%	1	4%
New Mexico	29	23	79%	5	17%	1	3%
New York	37	31	84%	5	14%	1	3%
North Carolina	30	25	83%	5	17%	0	0%
<b>North Dakota</b>	25	23	92%	2	8%	0	0%
Ohio	26	22	85%	4	15%	0	0%
Oklahoma	25	21	84%	4	16%	0	0%
<b>Oregon</b>	35	33	94%	1	3%	1	3%
Pennsylvania	25	15	60%	10	40%	0	0%
Puerto Rico	20	14	70%	5	25%	1	5%
Rhode Island	26	15	58%	10	38%	1	4%
South Carolina	30	20	67%	9	30%	1	3%
South Dakota	38	33	87%	4	11%	1	3%
Tennessee	29	11	38%	15	52%	3	10%
<b>Texas</b>	32	30	94%	2	6%	0	0%
Utah	35	27	77%	8	23%	0	0%
Vermont	43	37	86%	5	12%	1	2%
Virginia	27	19	70%	7	26%	1	4%
Washington	25	16	64%	9	36%	0	0%
West Virginia	29	21	72%	6	21%	2	7%
Wisconsin	25	11	44%	14	56%	0	0%
Wyoming	31	24	77%	6	19%	1	3%

**Source:** Table prepared by the Congressional Research Service based on information in the CFSR final reports from 50 states, the District of Columbia and Puerto Rico. Row percentages may not sum to 100 due to rounding.

**Table C-6. Well-Being Outcome I: Families Have Enhanced Capacity to Provide for Their Children's Needs**

To have been found in substantial conformity with this outcome a state need to substantially achieve the outcome in no less than 90% of the applicable cases reviewed.

<b>Well-Being Outcome I</b>	<b>Applicable Cases Reviewed</b>						
	<b>Total</b>	<b>Substantially achieved</b>		<b>Partially achieved</b>		<b>Not achieved or addressed</b>	
	<b>#</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>State</b> (No state was found to be in substantial conformity with this outcome)							
Alabama	50	27	54%	15	30%	8	16%
Alaska	50	14	28%	22	44%	14	28%
Arizona	50	35	70%	11	22%	4	8%
Arkansas	50	30	60%	11	22%	9	18%
California	49	29	59%	19	39%	1	2%
Colorado	50	30	60%	13	26%	7	14%
Connecticut	50	33	66%	14	28%	3	6%
Delaware	39	26	67%	10	26%	3	8%
District of Columbia	50	24	48%	7	14%	19	38%
Florida	50	31	62%	14	28%	5	10%
Georgia	50	36	72%	8	16%	6	12%
Hawaii	50	15	30%	24	48%	11	22%
Idaho	50	21	42%	16	32%	13	26%
Illinois	48	25	52%	17	35%	6	13%
Indiana	50	30	60%	7	14%	13	26%
Iowa	50	12	24%	27	54%	11	22%
Kansas	50	38	76%	9	18%	3	6%
Kentucky	50	32	64%	12	24%	6	12%
Louisiana	50	34	68%	13	26%	3	6%
Maine	50	21	42%	20	40%	9	18%
Maryland	49	30	61%	13	27%	6	12%
Massachusetts	50	38	76%	10	20%	2	4%
Michigan	49	35	71%	9	18%	5	10%
Minnesota	49	35	71%	6	12%	8	16%
Mississippi	50	18	36%	16	32%	16	32%
Missouri	50	21	42%	16	32%	13	26%
Montana	49	25	51%	17	35%	7	14%
Nebraska	50	16	32%	23	46%	11	22%
Nevada	49	19	39%	17	35%	13	27%
New Hampshire	50	28	56%	15	30%	7	14%
New Jersey	50	9	18%	14	28%	27	54%

Well-Being Outcome I	Applicable Cases Reviewed						
	Total	Substantially achieved		Partially achieved		Not achieved or addressed	
		#	%	#	%	#	%
<b>State</b> (No state was found to be in substantial conformity with this outcome)							
New Mexico	50	38	76%	5	10%	7	14%
New York	50	43	86%	5	10%	2	4%
North Carolina	50	34	68%	6	12%	10	20%
North Dakota	49	37	76%	10	20%	2	4%
Ohio	50	33	66%	13	26%	4	8%
Oklahoma	50	35	70%	11	22%	4	8%
Oregon	50	38	76%	9	18%	3	6%
Pennsylvania	50	32	64%	14	28%	4	8%
Puerto Rico	42	14	33%	16	38%	12	29%
Rhode Island	49	9	18%	28	57%	12	24%
South Carolina	50	20	40%	19	38%	11	22%
South Dakota	50	31	62%	12	24%	7	14%
Tennessee	50	26	52%	21	42%	3	6%
Texas	50	35	70%	11	22%	4	8%
Utah	50	33	66%	8	16%	9	18%
Vermont	50	39	78%	6	12%	5	10%
Virginia	50	33	66%	12	24%	5	10%
Washington	50	12	24%	21	42%	17	34%
West Virginia	50	20	40%	17	34%	13	26%
Wisconsin	50	27	54%	18	36%	5	10%
Wyoming	50	20	40%	20	40%	10	20%

**Source:** Table prepared by the Congressional Research Service based on information in the CFSR final reports from 50 states, the District of Columbia and Puerto Rico. Row percentages may not sum to 100 due to rounding.

**Table C-7. Well-Being Outcome 2: Children Receive Appropriate Services to Meet Their Education Needs**

To have been found in substantial conformity with this outcome a state need to substantially achieve the outcome in no less than 90% of the applicable cases reviewed.

<b>Well-Being Outcome 2</b>	<b>Applicable Cases Reviewed</b>						
	<b>Total</b>	<b>Substantially achieved</b>		<b>Partially achieved</b>		<b>Not achieved or addressed</b>	
		<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>	<b>#</b>	<b>%</b>
<b>State</b> (State found in substantial conformity if cell text is <b>bolded</b> )							
Alabama	35	25	71%	6	17%	4	11%
Alaska	39	31	79%	3	8%	5	13%
Arizona	40	34	85%	2	5%	4	10%
Arkansas	44	36	82%	5	11%	3	7%
California	37	30	81%	3	8%	4	11%
<b>Colorado</b>	46	42	91%	3	7%	1	2%
<b>Connecticut</b>	40	36	90%	4	10%	0	0%
Delaware	33	29	88%	0	0%	4	12%
District of Columbia	42	33	79%	4	10%	5	12%
Florida	38	30	79%	6	16%	2	5%
Georgia	33	25	76%	4	12%	4	12%
<b>Hawaii</b>	39	35	90%	1	3%	3	8%
<b>Idaho</b>	32	30	94%	0	0%	2	6%
Illinois	32	27	84%	3	9%	2	6%
Indiana	45	32	71%	0	0%	13	29%
<b>Iowa</b>	41	38	93%	0	0%	3	7%
<b>Kansas</b>	44	41	93%	1	2%	2	5%
<b>Kentucky</b>	43	41	95%	1	2%	1	2%
Louisiana	41	32	78%	7	17%	2	5%
<b>Maine</b>	38	34	89%	2	5%	2	5%
Maryland	37	32	86%	1	3%	4	11%
Massachusetts	43	37	86%	2	5%	4	9%
Michigan	33	26	79%	5	15%	2	6%
Minnesota	38	31	82%	2	5%	5	13%
Mississippi	29	22	76%	4	14%	3	10%
Missouri	35	28	80%	3	9%	4	11%
<b>Montana</b>	36	33	92%	1	3%	2	6%
Nebraska	43	37	86%	5	12%	1	2%
Nevada	27	19	70%	3	11%	5	19%
<b>New Hampshire</b>	39	37	95%	1	3%	1	3%
New Jersey	34	22	65%	4	12%	8	24%

Well-Being Outcome 2	Applicable Cases Reviewed						
	Total	Substantially achieved		Partially achieved		Not achieved or addressed	
		#	%	#	%	#	%
<b>State</b> (State found in substantial conformity if cell text is bolded)							
New Mexico	45	37	82%	5	11%	3	7%
<b>New York</b>	47	43	91%	3	6%	1	2%
North Carolina	46	37	80%	3	7%	6	13%
<b>North Dakota</b>	45	41	91%	0	0%	4	9%
Ohio	37	31	84%	4	11%	2	5%
Oklahoma	36	29	81%	4	11%	3	8%
Oregon	39	32	82%	4	10%	3	8%
Pennsylvania	44	38	86%	4	9%	2	5%
Puerto Rico	31	24	77%	2	6%	5	16%
Rhode Island	45	33	73%	3	7%	9	20%
South Carolina	38	32	84%	0	0%	6	16%
South Dakota	39	29	74%	5	13%	5	13%
Tennessee	45	37	82%	6	13%	2	4%
Texas	38	32	84%	2	5%	4	11%
<b>Utah</b>	43	43	100%	0	0%	0	0%
<b>Vermont</b>	44	42	95%	2	5%	0	0%
Virginia	39	36	92%	0	0%	3	8%
Washington	31	24	77%	2	6%	5	16%
West Virginia	32	24	75%	4	13%	4	13%
<b>Wisconsin</b>	33	30	91%	1	3%	2	6%
Wyoming	39	32	82%	5	13%	2	5%

**Source:** Table prepared by the Congressional Research Service based on information in the CFSR final reports from 50 states, the District of Columbia and Puerto Rico. Row percentages may not sum to 100 due to rounding.

**Table C-8. Well-Being Outcome 3: Children Receive Adequate Services to Meet their Physical and Mental Health Needs**

To have been found in substantial conformity with this outcome a state need to substantially achieve the outcome in no less than 90% of the applicable cases reviewed.

Well-Being Outcome 3	Applicable Cases Reviewed						
	Total	Substantially achieved		Partially achieved		Not achieved or addressed	
	#	#	%	#	%	#	%
<b>State</b> (State found in substantial conformity if cell text is bolded.)							
Alabama	48	36	75%	5	10%	7	15%
Alaska	46	30	65%	5	11%	11	24%
Arizona	49	29	59%	18	37%	2	4%
Arkansas	46	34	74%	9	20%	3	7%
California	45	35	78%	6	13%	4	9%
Colorado	49	30	61%	13	27%	6	12%
Connecticut	49	35	71%	8	16%	6	12%
<b>Delaware</b>	38	35	92%	2	5%	1	3%
District of Columbia	49	27	55%	12	24%	10	20%
Florida	50	37	74%	11	22%	2	4%
Georgia	49	31	63%	9	18%	9	18%
Hawaii	49	28	57%	13	27%	8	16%
Idaho	42	28	67%	6	14%	8	19%
Illinois	48	32	67%	10	21%	6	13%
Indiana	50	35	70%	9	18%	6	12%
Iowa	47	37	79%	9	19%	1	2%
Kansas	46	36	78%	10	22%	0	0%
Kentucky	50	38	76%	7	14%	5	10%
Louisiana	48	35	73%	8	17%	5	10%
Maine	48	35	73%	6	13%	7	15%
Maryland	46	37	80%	5	11%	4	9%
Massachusetts	49	34	69%	9	18%	6	12%
Michigan	43	37	86%	3	7%	3	7%
Minnesota	46	31	67%	7	15%	8	17%
Mississippi	42	22	52%	11	26%	9	21%
Missouri	49	35	71%	9	18%	5	10%
Montana	46	31	67%	10	22%	5	11%
Nebraska	47	26	55%	11	23%	10	21%
Nevada	45	29	64%	8	18%	8	18%
New Hampshire	49	38	78%	8	16%	3	6%
New Jersey	47	25	53%	9	19%	13	28%

Well-Being Outcome 3	Applicable Cases Reviewed						
	Total	Substantially achieved		Partially achieved		Not achieved or addressed	
		#	%	#	%	#	%
<b>State</b> (State found in substantial conformity if cell text is bolded.)							
New Mexico	50	36	72%	9	18%	5	10%
New York	49	42	86%	6	12%	1	2%
North Carolina	50	34	68%	13	26%	3	6%
North Dakota	48	38	79%	3	6%	7	15%
Ohio	43	30	70%	6	14%	7	16%
Oklahoma	49	35	71%	8	16%	6	12%
Oregon	47	38	81%	8	17%	1	2%
Pennsylvania	46	36	78%	7	15%	3	7%
Puerto Rico	39	20	51%	13	33%	6	15%
Rhode Island	48	29	60%	9	19%	10	21%
South Carolina	48	33	69%	8	17%	7	15%
South Dakota	46	30	65%	10	22%	6	13%
Tennessee	49	34	69%	8	16%	7	14%
Texas	48	35	73%	9	19%	4	8%
Utah	49	40	82%	7	14%	2	4%
Vermont	48	42	88%	5	10%	1	2%
Virginia	43	36	84%	4	9%	3	7%
Washington	49	29	59%	11	22%	9	18%
West Virginia	42	25	60%	11	26%	6	14%
Wisconsin	48	33	69%	8	17%	7	15%
Wyoming	47	30	64%	8	17%	9	19%

**Source:** Table prepared by the Congressional Research Service based on information in the CFSR final reports from 50 states, the District of Columbia and Puerto Rico. Row percentages may not sum to 100 due to rounding.



## Appendix D. Analysis of Case Characteristics and Ratings of Outcome Achievement

As part of rating each case, reviewers collected certain data about the characteristics of the child whose case was under review (e.g. age, race/ethnicity). These case specific data are not available in the final reports but have been studied by HHS (via a contract with James Bell Associates) for statistically significant relationships between outcomes achieved and the characteristics of the case. The full report discussing these findings is available on the Children's Bureau web site.<sup>29</sup> A synthesis of some of the key findings is provided below.

### Age of child

Cases involving children under the age of 6 at the start of the CFSR review period were more likely to be rated as having substantially achieved permanency and stability in their living situations than cases involving children of all other ages. Age was independently established as significantly related to two of the performance indicators—placement stability and establishment of permanency goal—used to determine whether permanency and stability have been achieved for a child. These analyses generally supported the anecdotal information that placement stability is harder to achieve for adolescents and that establishing appropriate permanency goals for children in a timely manner is easier for younger children than for adolescents. The percentage of cases receiving a strength rating for placement stability decreased with increasing age until age of 16; for youth age 16-18 a strength rating for placement stability was as likely as it was for children younger than 9 at the start of the CFSR review period. The percentage of strength ratings related to establishment of the permanency goal was highest for children under the age of 6 at the start of the CFSR review period and lowest for children who were 10-12 years of age at that time.<sup>30</sup>

### Race/ethnicity of child

Cases involving white (non-Hispanic) children were more likely to be rated as having substantially achieved permanency and stability in their living situations than were cases involving children who are Alaska Native/Native American, Asian/Pacific Islander, or black (non-Hispanic). Separate analysis shows that cases involving children who are white (non-Hispanic) were significantly more likely than cases involving children of any other race/ethnicity to have been rated as substantially achieving the well-being outcome: children receive adequate services to meet their physical and mental health needs. Finally, cases involving children who were white (non-Hispanic), black (non-Hispanic), or of "two or more races" were significantly more likely to have substantially achieved the well-being outcome families have enhanced capacity to

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<sup>29</sup> *General Findings From the Federal Child and Family Services Review*. No title page or author shown. The report is available on the Children's Bureau website at <http://www.acf.hhs.gov/programs/cb/cwrp/results/statefindings/genfindings04/genfindings04.pdf>.

<sup>30</sup> The statistical analysis regarding age and performance ratings by cases was done with regard to cases reviewed in FY2002-FY2004 only. The total applicable cases reviewed with regard to the outcome of permanency and stability in the living situations in those years was 951. A relationship between performance rating and age was determined significant if the probability that the relationship occurred by chance was less than 1%.

meet children's need than were cases involving children who are Alaska Native/Indian or Asian/Pacific Islander.<sup>31</sup>

## **Primary reason for case opening**

Cases opened primarily for issues related to a child's behavior (e.g. child's substance abuse or juvenile delinquency) were more likely to be rated as having substantially achieved permanency and stability than were cases opened for any other reason. Cases opened primarily for all other reasons (e.g. parent's substance abuse, abuse or neglect of the child, mental/physical health of family) were more likely to be rated as *not* having substantially achieved permanency and stability in living situation than to have been rated as substantially achieving this outcome.<sup>32</sup>

## **Location of case review**

As noted earlier, the onsite CFSR takes place at three locations in a state, including the most populous city or county. Other locations in each state varied from very rural to metropolitan/suburban. No significant relationship between case ratings for most outcomes and review location (largest population compared to smaller population sites) was found. However, for two of the well-being outcomes, families have enhanced capacity to meet the needs of their children, and children receive appropriate services for their physical and mental health needs, cases reviewed in smaller population sites were significantly more likely to have been found to have achieved these outcomes.<sup>33</sup>

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<sup>31</sup> The statistical analysis regarding race/ethnicity and performance ratings by cases was done with regard to cases reviewed in FY2001-FY2004 for which race/ethnicity data were identified. The total applicable cases analyzed with regard to the outcome children have permanency and stability in the living situations was 1415. The total applicable cases analyzed with regard to the well-being outcomes ranged from 2448 and 2326. A relationship between performance rating and race/ethnicity was determined significant if the probability that the relationship occurred by chance was less than 1%.

<sup>32</sup> The statistical analysis regarding reason for case opening and performance ratings by cases was done with regard to cases reviewed in FY2002-FY2004 only. The total applicable cases reviewed with regard to primary reason for case opening and the outcome children have permanency and stability in the living situations was 931. A relationship between performance rating and reason for case opening was determined significant if the probability that the relationship occurred by chance was less than 1%.

<sup>33</sup> The review years included in the statistical analysis regarding ratings by largest or smaller population sites and performance ratings is not stated. A relationship between performance rating and site of review was determined significant if the probability that the relationship occurred by chance was less than 1%.

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